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CITY OF LOS ANGELES . *city council*
GUIDELINES FOR THE IMPLEMENTATION OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970

(Los Angeles City CEQA Guidelines)

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TABLE OF CONTENTS

	<u>Page</u>
ARTICLE I: GENERAL	I-1
ARTICLE II: DEFINITIONS	II-1
ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES OF THE CITY OF LOS ANGELES	III-1
ARTICLE IV: INITIAL STUDY	IV-1
ARTICLE V: NEGATIVE DECLARATION	V-1
ARTICLE VI: PREPARATION AND PROCESSING OF EIRs	VI-1
ARTICLE VII: CATEGORICAL EXEMPTIONS	VII-1
ARTICLE VIII: ADDITIONAL ENVIRONMENTAL ASSESSMENT AFTER AN EIR OR A NEGATIVE DECLARATION HAS BEEN CERTIFIED AS COMPLETE	VIII-1
ARTICLE IX: PROCEDURES FOR COMPLYING WITH CEQA WHERE THE CITY OF LOS ANGELES IS A RESPONSIBLE AGENCY	IX-1
ARTICLE X: TIME LIMITATIONS FOR THE PROCESSING OF ENVIRONMENTAL DOCUMENTS	X-1
APPENDICES	A-1

79 00406

ARTICLE I: GENERAL

	<u>Page</u>
Section 1 Short Title	I-1
Section 2 Authority	I-1
Section 3 Purpose	I-1
Section 4 Applicability	I-1
Section 5 Policy	I-1
a. Use of an Initial Study	I-2
b. Use of an Environmental Impact Report (EIR).	I-2
c. Indications of Adverse Impact	I-4
d. Time of Preparation of Environmental Documents	I-5
Section 6 General Responsibilities for Implementation of These Guidelines	I-6
a. In General	I-6
b. Determination of Responsibility for Preparation of Environmental Documents	I-6
c. Projects That Have Been Mandated by a State Agency	I-7
d. Office of Environmental Quality	I-7
e. City Administrative Officer	I-8
f. City Clerk	I-8
g. Comments on EIRs of Other Public Agencies	I-9
h. Timely Compliance	I-10
i. Orderly Preparation	I-10
(1) General Rule	I-10
(2) Leases	I-10
j. Delegation of Responsibilities	I-10
k. Advisory Bodies	I-11
Section 7 Fees	I-11
Section 8 City Council and Director of Planning Authority to Require EIR	I-12

ARTICLE II: DEFINITIONS

	<u>Page</u>
Section 1 Applicant	II-1
Section 2 Approval	II-1
a. Capital Improvement Projects	II-1
(1) Projects to be Funded by the Capital Improvement Expenditure Program of the Annual City Budget	II-1
(2) Projects Funded by Assessment Proceedings	II-1
b. Projects Not Funded in the Capital Improve- ment Expenditure Program	II-1
(1) General Rule	II-1
(2) General Plan and Zoning Amendments	II-2
(3) Easement Vacations	II-2
c. Projects to be Funded or Partially Funded by the City But Not Carried Out by the City	II-2
d. Private Projects	II-2
Section 3 California Environmental Quality Act (CEQA).	II-2
Section 4 Categorical Exemption	II-2
Section 5 CEQA	II-2
Section 5.5 Cumulative Impacts	II-3
Section 6 Decision-Making Body	II-3
Section 7 Deleted	II-3
Section 8 Discretionary Project	II-3
Section 9 Emergency	II-3
Section 10 Environment	II-3
Section 11 Environmental Documents	II-4
Section 12 Environmental Impact Report (EIR)	II-4
a. Draft EIR	II-4
b. Final EIR	II-4
c. Master EIR	II-4
d. Program EIR	II-4
e. Staged EIR	II-4
Section 13 Environmental Impact Statement (EIS).	II-5

ARTICLE II (Cont'd)

	<u>Page</u>
Section 14 Feasible	II-5
Section 15 Feasibility and Planning Studies	II-5
Section 16 Initial Study	II-5
Section 17 Lead Agency	II-5
Section 18 Lead City Agency	II-5
Section 19 Local Agency	II-6
Section 20 Ministerial Projects	II-6
Section 21 National Environmental Policy Act (NEPA)	II-6
Section 22 Negative Declaration	II-6
Section 23 NEPA	II-6
Section 24 Notice of Completion	II-6
Section 25 Notice of Determination	II-7
Section 26 Notice of Exemption	II-7
Section 26.5 Notice of Preparation	II-7
Section 27 Participating City Agency	II-7
Section 28 Person	II-7
Section 29 Persons with Special Expertise	II-7
Section 30 Project	II-8
Section 31 Project Sponsor	II-8
Section 32 Proprietary Department	II-8
Section 33 Public Agency	II-9
Section 34 Recirculation	II-9
Section 35 Responsible Agency	II-9
Section 36 Significant Effect	II-9

1842

1843

1844

1845

1846

1847

1848

1849

1850

1851

1852

1853

1854

1855

1856

1857

1858

1859

1860

1861

1862

1863

1864

1865

1866

1867

1868

1869

1870

1871

1872

ARTICLE II (Cont'd)

	<u>Page</u>
Section 37 State EIR Guidelines	II-9
Section 38 Statement of Overriding Considerations . .	II-9
Section 39 Supporting Data	II-10
Section 40 Terminology	II-10

ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES
OF THE CITY OF LOS ANGELES

	<u>Page</u>
Section 1	General Rule and General Exemption III-1
Section 2	Exempt Activities III-1
	a. Emergency Projects III-1
	b. Ministerial Projects III-1
	c. Categorical Exemptions III-4
	d. Feasibility and Planning Studies . . . III-4
	e. Proposals for Legislation III-4
	f. Continuing Administrative, Maintenance and Personnel-Related Activities . . . III-4
	g. Submittal to the Electorate III-4
	h. Activity Specifically Exempted From CEQA III-4
	i. Activity for Which Underlying Project Has Previously Been Evaluated According to Requirement of These Guidelines III-4
	j. Projects which are rejected or Disapproved III-4
	k. Power Plant sites or Facilities III-4
	l. Olympic Games III-5
	m. Ordinances that do not Impact on the Physical Environment III-5
Section 3	Notice of Exemption III-5
	a. Public Projects III-5
	b. Private Projects III-5
	c. Filing of the Notice III-6
Section 4	Redevelopment Projects III-6
	a. Preparation of the EIR III-6
	b. Timing of the EIR III-6
	c. The City Planning Commission (CPC). . . III-7
	d. Certification by the CRA and the City Council III-7
	(1) CRA III-7
	(2) City Council III-7
	e. Supplementing the EIR III-7
	f. Recirculation of a Supplemented EIR . . III-7
Section 5	Projects Involving Federal Approval or Funding III-7
	a. Concurrent Satisfaction of the Requirements of Both CEQA and NEPA . . III-7
	b. Use of an EIS to Satisfy the Requirements of CEQA III-8

ARTICLE III (Cont'd)

	<u>Page</u>
Section 6	Multiproject Environmental Reviews III-9
a.	Phased Projects III-9
b.	Projects That Are a Necessary Precedent to or a Commitment to a Larger Project III-9
c.	Similar but Unconnected Projects III-10
d.	Use of a Single EIR for Several Similar Projects III-11
e.	Program EIRs III-11
f.	Master EIRs III-12
g.	Staged EIRs III-12
Section 6.5	Use of a General Plan EIR with Subsequent Projects III-13
Section 7	Deleted.
Section 8	Ongoing Projects III-13

ARTICLE IV: INITIAL STUDY

	<u>Page</u>
Section 1 General	IV-1
Section 1.5 Purposes of an Initial Study	IV-1
Section 1.6 Uses of an Initial Study	IV-1
Section 2 Preparation of the Initial Study	IV-2
a. Contents	IV-2
b. Undefined Use	IV-3
c. Private Projects	IV-3
d. Consultation with Responsible Agencies	IV-3
e. Consultation with Participating City Agencies	IV-4
Section 3 Determining Significant Effect on the Environment	IV-4
a. Factors to be Considered	IV-4
b. Mandatory Finding of Significant Effect	IV-4
c. Substantial Evidence and Controversy	IV-5
Section 4 Mitigation Measures	IV-5
Section 5 Consideration of the Initial Study	IV-6
a. General	IV-6
b. Projects Involving Land Acquisition or Physical Development to be Carried Out by Council-Controlled Departments Where the City Council Is the Decision- Making Body	IV-6

ARTICLE V: NEGATIVE DECLARATION

		<u>Page</u>
Section 1	Preparation of the Negative Declaration . . .	V-1
Section 2	Content of the Negative Declaration	V-1
Section 3	Consultation	V-1
Section 4	Public Review	V-2
	a. Filing With City Clerk and Consul- tation During Public Review Period . . .	V-2
	b. State Agency as Responsible Agency . . .	V-2
	c. Persons With Special Expertise	V-2
	d. Availability for Review to General Public	V-2
	e. Objections to Negative Declaration . . .	V-2
	f. Projects of Statewide or Regional Significance	V-3
Section 5	Notice	V-3
	a. Required Notice	V-3
	b. Additional Notice	V-3
Section 6	Consideration of the Negative Declaration by the Decision-Making Body	V-4
	a. Submittal of Negative Declaration to Decision-Making Body	V-4
	b. Consideration of Negative Declaration and Supporting Data	V-4
	c. Adoption of Negative Declaration	V-4
	d. Inadequate Support for Negative Declaration	V-4
	e. Proprietary Department Project Needing City Council Approval	V-4
Section 7	Notice of Determination	
	a. Content of the Notice of Determination .	V-5
	b. Filing of the Notice	V-5
	c. Deleted	V-5
	d. State Agency is Responsible Agency . . .	V-5
	e. City Council is Decision-Making Body	V-6

ARTICLE VI: PREPARATION AND PROCESSING OF EIRs

	<u>Page</u>
Section 1	Preparation of the EIR VI-1
Section 2	The Draft EIR VI-1
a.	Contents VI-1
(1)	Description of the Project VI-2
(2)	Brief Overview of the Project's Environmental Setting VI-2
(a)	Existing Conditions VI-2
(b)	Related Projects VI-2
(3)	Environmental Impacts of the Proposed Project VI-2
(a)	Environmental Setting VI-2
(b)	Significant Environmental Impacts VI-2
(c)	Mitigation Measures VI-2
(d)	Unavoidable Adverse Impact . . VI-3
(e)	Cumulative Impacts VI-3
(4)	Measures to Reduce Energy Con- sumption VI-3
(5)	Long-Term Implications of the Proposed Project VI-4
(a)	The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity VI-4
(b)	Irreversible Environmental Changes Which Would be Involved in the Proposed Project if it Is Implemented VI-4
(c)	The Growth-Inducing Impact of the Proposed Action VI-5
(6)	Alternatives to the Proposed Action VI-5
b.	Degree of Specificity VI-6
c.	Appendices VI-7
(1)	Identity of the Preparer of EIR . . VI-7
(2)	Data Sources VI-7
(3)	Technical Studies and Reports . . . VI-7
(4)	Initial Study VI-7
(5)	Organizations and Persons Consulted VI-8
d.	Early Consultation VI-8
(1)	Responsible Agencies VI-8
(2)	Persons or Organizations Concerned With the Environment Effects of the Project VI-9
(3)	Federal Agencies VI-10

ARTICLE VI (Cont'd)

Page

e.	Use of Environmental Information Submitted by a Project Applicant	VI-10
f.	Summary and Table of Contents or Index	VI-10
g.	Effects Found Not to be Significant	VI-10
h.	Guidelines for Drafting the EIR	VI-11
	(1) Information to be Included in EIR	VI-11
	(2) Who Should Prepare EIRs	VI-11
	(3) Order of Discussion of Impacts	VI-11
	(4) Statement re Insignificant Effects	VI-11
	(5) Foreseeability of Impacts	VI-11
	(6) Speculative Impacts	VI-12
	(7) Incorporation by Reference	VI-12
	(8) Degree of Analysis Required	VI-12
i.	EIR as Part of General Plan	VI-13
Section 3	Notice of Completion	VI-13
a.	State Notice	VI-13
b.	Local Notice	VI-13
c.	Additional Notice	VI-14
Section 4	Public Review	VI-14
a.	Agencies That Shall be Consulted	VI-14
b.	Persons That Should be Consulted	VI-14
c.	Review by the General Public	VI-15
d.	Commencement of the Public Review Period	VI-15
e.	Review Periods	VI-15
f.	Failure to Comment	VI-15
Section 5	Review by State Agencies	VI-15
a.	Environmental Documents That Must be Submitted to State Clearinghouse	VI-15
b.	Review Period	VI-16
c.	State Agency with Special Expertise	VI-16
Section 5.5	Projects of Statewide, Regional or Areawide Significance	VI-16
Section 6	Public Hearings	VI-18
a.	When Necessary	VI-18
b.	Who May Conduct the Hearing	VI-19
c.	Utilization of Hearings Otherwise Required	VI-19
Section 7	The Final EIR	VI-19
a.	Contents of the Final EIR	VI-19
b.	Evaluation and Response to Comments	VI-19

ARTICLE VI (Cont'd)

Page

	c. Contents of the Summary	VI-20
	d. Certification of EIR by Lead City Agency	VI-20
	e. Review of the Final EIR	VI-20
Section 8	Staff Recommendations	VI-20
	a. Recommendations Required	VI-20
	b. Reasons for Recommendation of Approval	VI-21
Section 9	Consideration of the Proposed Final EIR by the Decision-Making Body	VI-21
	a. Submittal of EIR to Decision-Making Body	VI-21
	b. Consideration of EIR	VI-21
	c. Certification of EIR	VI-21
	d. Return of Inadequate EIR to Lead City Agency	VI-22
	e. Supplementing and Recirculating an Inadequate EIR	VI-22
	f. Decision-Making Body Responsible for Conclusions	VI-22
	g. Mitigation or Avoidance Mandatory Where Feasible	VI-23
	h. Duty to Mitigate or Avoid Where City of Los Angeles is a Responsible Agency	VI-23
	i. Proprietary Department Project Needing City Council Approval	VI-23
	j. Approval of an Alternative to the Proposed Project	XI-23
Section 9.5	Findings	VI-23
	a. Duty to Mitigate or Avoid Significant Environmental Effects	VI-23
	b. Findings to be Supported by Substantial Evidence	VI-24
	c. Concurrent Jurisdiction with Another Agency	VI-24
Section 10	Statement of Overriding Considerations . .	VI-25
	a. When Required	VI-25
	b. Contents	VI-25
	c. Preparation	VI-26
	d. Finding re Benefits of Project	VI-26
	e. Inclusion in Record of Project Approval	VI-26
Section 11	Notice of Determination	VI-26
	a. Content of the Notice of Determination	VI-26
	b. Filing of the Notice	VI-27
	c. State Agency is Responsible Agency . .	VI-27
	d. City Council is Decision-Making Body .	VI-27

ARTICLE VII: CATEGORICAL EXEMPTIONS

	<u>Page</u>
Section 1	Classes of Categorical Exemptions VII-1
a.	Class 1: Existing Facilities VII-1
b.	Class 2: Replacement or Reconstruction VII-7
c.	Class 3: New Construction of Small Structures VII-8
d.	Class 4: Minor Alterations to Land VII-11
e.	Class 5: Alterations in Land Use Limitations VII-13
f.	Class 6: Information Collection VII-17
g.	Class 7: Actions by Regulatory Agencies for Protection of Natural Resources VII-18
h.	Class 8: Actions by Regulatory Agencies for Protection of the Environment VII-19
i.	Class 9: Inspections VII-20
j.	Class 10: Loans VII-21
k.	Class 11: Accessory Structures VII-22
l.	Class 12: Surplus Government Property Sales VII-23
m.	Class 13: Acquisition of Lands for Wildlife Conservation Purposes VII-24
n.	Class 14: Minor Additions to Schools VII-25
o.	Class 15: Functional Equivalent of an EIR VII-26
p.	Class 16: Transfer of Ownership in Land In Order to Create Parks VII-27
q.	Class 17: Open Space Contracts or Easements VII-28
r.	Class 18: Designation of Wilderness Areas VII-29
s.	Class 19: Annexations of Existing Facilities and Lots For Exempt Facilities VII-30
t.	Class 20: Changes in Organization of Local Agencies VII-31
u.	Class 21: Enforcement Actions by Regulatory Agencies VII-32
v.	Class 22: Educational or Training Programs VII-33
w.	Class 23: Normal Operations of Facilities for Public Gatherings VII-34
x.	Class 24: Regulation of Working Conditions VII-35

ARTICLE VII (cont'd)

Section 2	Procedures for Adding Categorical Exemptions	VII-36
	a. New Classes	VII-36
	b. New Exemptions Under Existing Classes .	VII-36
Section 3	Relation to Ministerial Projects	VII-36
Section 4	Exceptions	VII-36
	a. Location	VII-36
	b. Cumulative Impact	VII-36

ARTICLE VIII: ADDITIONAL ENVIRONMENTAL ASSESSMENT
AFTER AN EIR OR NEGATIVE DECLARATION
HAS BEEN CERTIFIED AS COMPLETE

	<u>Page</u>
Section 1 General Rules	VIII-1
Section 2 Procedures Where Project Has Not Been Approved	VIII-2
Section 3 Procedures Where Project has Been Approved	VIII-2
a. Private Projects	VIII-2
b. Public Projects	VIII-3

ARTICLE IX: PROCEDURES FOR COMPLYING WITH
CEQA WHERE THE CITY OF LOS ANGELES
IS A RESPONSIBLE AGENCY

	<u>Page</u>
Section 1 General	IX-1
Section 2 Determination of Responsibility for Complying with CEQA Where the City of Los Angeles is a Responsible Agency	IX-1
a. Determination of Lead City Agency	IX-1
b. Determination of Decision-Making Body	IX-1
Section 3. Response to a Request for Consultation	IX-1
Section 4. Decision on Adequacy of Final EIR or Negative Declaration	IX-2
Section 5. Consideration of the Final EIR of Negative Declaration by the Decision- Making Body	IX-3
Section 6 Duty to Mitigate or Avoid Environ- mental Damage Where the City of Los Angeles is a Responsible Agency	IX-3
Section 7 Statement of Overriding Considerations	IX-4
Section 8 Conditional Approval	IX-4
Section 9 Notice of Determination	IX-4

ARTICLE X: TIME LIMITATIONS FOR THE PROCESSING
 OF ENVIRONMENTAL DOCUMENTS

	<u>Page</u>
Section 1. Projects Not Involving Federal Approval or Funding	X-1
Section 2 Extensions of the Time Limitations	X-1
Section 3 Projects involving Federal Approval of Funding - Waiver of Time Limitations	X-2

APPENDICES

	Page
A. Notice of Exemption	A-1
B. Initial Study	B-1
C. Negative Declaration	C-1
D. Notice of Determination	D-1
E. Notice of Completion	E-1
F. Energy Conservation	F-1
G. Factors to be Considered in Determining Significant Effect	G-1
H. Environmental Information Form	H-1
I. Initial Study Checklist	I-1
J. General Exemption	J-1
K. Notice of Preparation	K-1

ARTICLE I. GENERAL

1. Short Title. These Guidelines may be cited as the Los Angeles City CEQA Guidelines.
2. Authority. These Guidelines have been adopted pursuant to the requirements of Section 15050(c) of the State EIR Guidelines. To the extent matters addressed in the State EIR Guidelines have not been addressed in these Guidelines, the State EIR Guidelines are incorporated herein by reference.
3. Purpose. The purpose of these Guidelines is to provide all agencies of the City of Los Angeles with objectives, criteria and specific procedures for the evaluation of projects and the preparation of environmental documents.
4. Applicability.

These Guidelines are binding on all City agencies, including the proprietary departments, in the implementation of the California Environmental Quality Act (CEQA). Any draft EIR or Negative Declaration completed and sent out for public review before January 1, 1978, in compliance with these Guidelines as constituted on December 31, 1977, shall be deemed to be in compliance with these Guidelines, and no further EIR or Negative Declaration shall be required except as provided in Article VIII of these Guidelines.

5. Policy. The policy of the City of Los Angeles is to achieve compliance with the intent and provisions of CEQA.* In carrying out this policy, City Agencies shall prepare required environmental documents at the earliest practicable stage of each project's development, so that the EIR can be used as a tool to enable environmental constraints and opportunities to be considered during project planning.

* The courts of this state have found the following policies to be implicit in CEQA:

(1) The EIR requirement is the heart of CEQA. (County of Inyo v. Yorty, 32 Cal.App.3d 795.)

(Continued)

a. Use of an Initial Study.

A preliminary assessment in the form of an Initial Study shall be conducted for all projects subject to the environmental assessment process unless it is clear that an EIR is necessary and will be prepared. The Initial Study shall provide a basis for determining whether the project may have a significant effect on the environment and, therefore, whether an EIR or a Negative Declaration will be required. The Initial Study will identify the aspects of the environment in which significant impacts might reasonably be expected to occur.

b. Use of an Environmental Impact Report (EIR).

- (1) An EIR is an informational document that, when prepared in accordance with CEQA and these Guidelines, is intended to accomplish the following:

(Continued)

- (2) The EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected. (County of Inyo v. Yorty, 32 Cal. App. 3d 795).
- (3) The EIR is to inform other governmental agencies and the public generally of the environmental impact of a proposed project. (No Oil, Inc. v. City of Los Angeles, 13 C. 3d 68.)
- (4) The EIR is to demonstrate to an apprehensive citizenry that the agency has in fact analyzed and considered the ecological implications of its action. (People ex rel. Department of Public Works v. Bosio, 47 Cal. App. 3d 495.)
- (5) The EIR process will enable the public to determine the environmental and economic values of their elected and appointed officials thus allowing for appropriate action come election day should a majority of the voters disagree. (People v. County of Kern, 39 Cal. App. 3d 830.)
- (6) CEQA was intended to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language. (Friends of Mammoth v. Board of Supervisors, 8 C. 3d 247.)

- (a) Inform City Decision-Making Bodies of the environmental effects of projects they propose to carry out or approve.
 - (b) Examine alternatives and institute mitigation measures that will reduce the impact of the project on the environment.
 - (c) Provide other public agencies and the public with an opportunity to furnish input to the City's Decision-Making Bodies on environmental issues.
 - (d) Allow City Decision-Making Bodies an opportunity to balance environmental objectives with safety, health, economic and social objectives.
- (2) Discussions in an EIR shall be as concise as possible and contain only such data as is relevant to the significant environmental issues addressed in the EIR.* The environmental impact analysis of an EIR, as specified in Section 2a(3) of Article VI of these Guidelines, shall be limited to the significant environmental impacts identified in the Initial Study, or during preparation and processing of the EIR, together with any significant beneficial environmental impacts of the project. The Initial Study shall be attached to the EIR as an appendix and will constitute the record of the Lead City Agency that all other possible environmental impacts of the project have been considered and determined to be insignificant.
- (3) The content of EIRs shall conform to the strict CEQA definition of "environment" and shall not discuss social or economic concerns. The EIR shall contain social and/or economic data only when necessary for an adequate discussion of an environmental issue or to determine the feasibility of a mitigation measure or alternative.

* The purpose of CEQA is not to generate paper, but to compel government on all levels to make decisions with environmental consequences in mind. Statement of the California Supreme Court in Bozung v. Local Agency Formation Commission of Ventura County, 13 Cal.3d 263 at 283 (1975).

Social and economic information may be submitted by a project sponsor and made available to the Decision-Making Body but such information shall not be included in the EIR.* Such information may be circulated with the draft EIR for public review if so requested by the applicant.

- (4) The EIR shall not be used as an instrument to rationalize approval of a project.
- (5) Information developed in individual EIRs should be incorporated into a data base which can be used to reduce delay and duplication in preparation of subsequent EIRs.

c. Indications of Adverse Impact.

- (1) CEQA requires all City Decision-Making Bodies to consider the impacts of a proposed project on the environment, both short-term and long-term. Indications of adverse impacts, as set forth in an EIR, do not require that a project be disapproved;** however, each City Decision-Making Body shall mitigate or avoid the significant effects on the environment of projects it approves or carries out, to the extent it is feasible to do so.
- (2) While CEQA requires that major consideration be given to preventing environmental damage, in the event that economic, social, technological, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a Decision-Making Body, provided that the project

* This policy relates only to those factors to be discussed in an EIR and shall not be interpreted to relieve Lead City Agencies of their obligation, apart from the environmental review process, to inform City Decision-Making Bodies of all significant ramifications of a proposed project, whether they be positive or negative, social, economic, health, safety or environmental.

** Note, however, that pursuant to provisions of the Subdivision Map Act (Government Code Section 66474.61(e)), a proposed subdivision must be disapproved if it "is likely to cause substantial environmental damage."

is otherwise permissible under applicable laws and regulations. In such event, the Decision-Making Body shall set forth in a Statement of Overriding Considerations other public objectives involved that justify the project despite its substantial adverse impact on the environment.

d. Time of Preparation of Environmental Documents.

- (1) Environmental documents are useful planning tools to enable environmental constraints and opportunities to be considered before project plans are finalized.
- (2) Environmental documents should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design.
 - (a) With public projects, at the earliest feasible time, project sponsors shall incorporate environmental considerations into project conceptualization, design and planning.
 - (b) With private projects, the Lead City Agency shall encourage the project proponent to incorporate environmental considerations into project conceptualization, design and planning at the earliest feasible time.
 - (c) The environmental review process is intended to enable City agencies to determine whether a project may have a significant effect on the environment, to examine and institute methods of reducing or avoiding adverse impacts, and to consider alternatives to the proposed project. This process of evaluation and analysis, which is embodied in the environmental documents, must be completed prior to approval of the project.
- (3) The environmental document preparation and review should be coordinated in a timely fashion with the existing planning, review and project approval processes being used by each Lead City Agency.

6. General Responsibilities for Implementation of These Guidelines.

a. In General.

Except as provided in Section 6g of Article III of these Guidelines, the following shall apply:

- (1) All City agencies are responsible for complying with CEQA and these Guidelines.
- (2) The Lead City Agency is responsible for the adequacy and objectivity of the draft and final EIRs, whether the Lead City Agency prepares the EIR, accepts information from a project applicant in the form of a draft EIR prepared under the supervision of the Lead City Agency, or contracts with a consultant to do the preparation.
- (3) Each Lead City Agency shall make copies of environmental documents available for public inspection. Citizens desiring reproductions of these documents shall be charged a fee in accordance with prevailing City policies. Copies of environmental documents must be provided if the person requesting the document is willing to pay the reproduction costs.

b. Determination of Responsibility for Preparation of Environmental Documents.

- (1) Where the City of Los Angeles is the Lead Agency, the environmental documents for a project shall be prepared by the Lead City Agency, as defined in Section 18 of Article II of these Guidelines.
- (2) Where the City of Los Angeles is not the Lead Agency for a project that must be approved by a Decision-Making Body of the City, the City will be a Responsible Agency and the appropriate Decision-Making Body need only certify that it has reviewed the EIR or Negative Declaration prepared by the Lead Agency and has considered the information contained therein in making its decision on the project.
- (3) Where the City of Los Angeles has prezoned an area, it will be the appropriate Lead Agency for any subsequent annexation of the area and shall prepare the required environmental document at the time of the prezoning. The Lead City Agency shall consult with the Local Agency Formation Commission during the preparation of the document and shall

include its comments in any EIR prepared for the rezoning.

- (4) Where the City of Los Angeles is called upon to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the City of Los Angeles shall begin to act as the Lead Agency when the following conditions occur:

(a) The original Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the original Lead Agency.

(b) The original Lead Agency prepared environmental documents for the project, but the following conditions occur:

(i) A subsequent EIR is required pursuant to Article VIII of these Guidelines,

(ii) The original Lead Agency has granted a final approval for the project, and

(iii) The Statute of limitations for challenging the original Lead Agency's action under CEQA has expired.

(c) The original Lead Agency prepared inadequate environmental documents without consulting with the City of Los Angeles as required by Section 15066 of the State EIR Guidelines, and the statute of limitations has expired for a challenge to the action of the original Lead Agency.

c. Projects That Have Been Mandated by a State Agency. If a City project has been mandated by a State agency, the EIR prepared by the Lead City Agency shall be limited to consideration of those factors and alternatives which do not conflict with the order.*

d. Office of Environmental Quality.

The Office of Environmental Quality shall have the following responsibilities with respect to the implementation of CEQA by the City of Los Angeles:

* Public Resources Code, Section 21154.

- (1) The Office of Environmental Quality may review and comment on environmental documents prepared by any Lead City Agency.
- (2) The Office of Environmental Quality may hold hearings on draft EIRs at the request of the Lead City Agency or the City Council. Such public hearings shall be held near the end of the public review period. The Office of Environmental Quality shall provide the Lead City Agency with opportunity to participate in the hearings.
- (3) The personnel and facilities of the Office of Environmental Quality shall be available to any City department, bureau or officer upon request to aid in the evaluation of the environmental impact of projects and the preparation of appropriate environmental documents.
- (4) The Office of Environmental Quality shall work closely with the Office of the Chief Legislative Analyst to keep the City Council informed of proposed changes in environmental laws and regulations, and shall make recommendations to the City Council's State, County and Federal Affairs Committee regarding the most appropriate City position on such proposed changes.
- (5) Where projects of other public agencies may impact on the environment of the City of Los Angeles, the Office of Environmental Quality shall monitor the environmental analyses for such projects, ensure that appropriate City agencies are provided an opportunity to review EIRs and Negative Declarations for such projects, and make such reports to the City Council as are appropriate. If an official of a City agency becomes aware of such a project, the official shall immediately notify the Office of Environmental Quality.

e. City Administrative Officer.

The City Administrative Officer shall prescribe the necessary forms for implementation of these Guidelines.

f. City Clerk.

- (1) In all cases where environmental documents have been submitted to the City Council as a Decision-Making Body for its consideration, the City Clerk shall be responsible for the following:

- (a) Copies of EIRs and Negative Declarations shall be delivered to each Council member concurrent with the Council Calendar containing the item for which the documents would be considered by the City Council.
- (b) The City Clerk shall file appropriate Notices of Determination with the County Clerk of the county or counties where the project will be located no later than one week after City Council action on projects with EIRs or Negative Declarations. Such Notices of Determination shall be prepared by the Lead City Agency and forwarded to the City Clerk prior to City Council action on the project.
- (2) The City Clerk shall make copies of these Guidelines available for sale to the general public.
- (3) The City Clerk shall act as a depository for all environmental documents prepared by Lead City Agencies and shall make such documents available for public inspection.
- (4) The City Clerk shall coordinate the publishing of newspaper notices required by Section 5 of Article V and Section 3 of Article VI of these Guidelines.

g. Comments on EIRs of Other Public Agencies.

- (1) When individual City agencies or experts within such agencies are requested by other public agencies to comment on an EIR for a project located in the City of Los Angeles, such agencies or individuals may respond directly to the public agency making the request provided that:
 - (a) Such comments are consistent with any specific position previously adopted by the City Council on the project covered by the EIR; and
 - (b) Such comments are transmitted to the Office of Environmental Quality and the Council member of the district or districts where the project is located at least 5 days prior to transmission to the requesting agency.
- (2) This subsection does not apply to comments made by a City department on a draft EIR being prepared by another City department.

- (3) This subsection does not apply where the City of Los Angeles is a Responsible Agency for the project involved. In such situations, the provisions of Article IX of these Guidelines shall apply.

h. Timely Compliance.

City agencies shall carry out their responsibilities for preparing and reviewing environmental documents as expeditiously as possible to avoid unnecessary delays in the processing of applications for permits or other entitlements for use.

i. Orderly Preparation.

(1) General Rule.

For projects involving the processing of permits or other entitlements for use, the preparation of the appropriate environmental documents shall be commenced in the order in which the applications are filed with the Lead City Agency.

(2) Leases.

For projects involving the leasing of City-owned property, the Lead City Agency may establish priorities for the processing of environmental documents for applications for such leases.

j. Delegation of Responsibilities.

The following functions of the environmental review process are delegated to the head of each Lead City Agency and may be further delegated by such head to members of the Lead City Agency's staff:

- (1) Determination of whether a project is exempt.
- (2) Conducting of an initial study and the initial determination of whether the project may have a significant effect on the environment.
- (3) Preparation of the Negative Declaration or EIR and responses to comments thereon.
- (4) Filing of environmental notices.
- (5) Adoption and certification of Negative Declarations and EIRs as complete for the purpose of complying with the time limitations set forth in Article X of these Guidelines.

k. Advisory Bodies.

Where an advisory body is required to make a recommendation on a project to the Decision-Making Body, the advisory body shall also review and consider the Negative Declaration or EIR in determining the nature of its recommendation.*

7. Fees.

All Lead City Agencies preparing environmental documents for projects to be carried out by any person or entity other than the Lead City Agency may require the payment of a reasonable fee by such person or entity in order to recover the costs incurred in preparing and processing the environmental document.**

* For example, the City Planning Commission acts as an advisory body on ordinances involving zone changes.

** Section 19.05 of the Los Angeles Municipal Code requires the collection of fees as follows:

"For the processing of each Environmental Impact Report or Negative Declaration filed in connection with permit applications by private parties, the following fees shall be paid to the City Planning Department at the time the permit application is filed:

1. For the processing of each Negative Declaration filed, a fee of \$100.00.
2. For the processing of each Environmental Impact Report filed, a fee based upon the size of the affected property as follows:
 - (a) A fee of \$300.00 where the affected property is less than one acre in size;
 - (b) A fee of \$500.00 where the affected property is more than one but less than five acres in size;
 - (c) A fee of \$1,000.00 where the affected property is more than five acres in size."

8. City Council and Director of Planning Authority to Require EIR.

Each City department, and each City office or bureau which intends to commence, continue or approve a project or activity that will have an impact on the City's environment shall, if requested by the Director of Planning or the City Council, prepare an environmental impact report pursuant to the requirements of these Guidelines prior to commencing, approving or further continuing said project or activity.

a. The Director of Planning shall exercise his authority to require the preparation of EIR's pursuant to this Section in the following manner:

- (1) The Director shall notify the Lead City Agency within 30 days after any of the following occurs that he believes that the project involved may have a significant effect on the environment and that he is considering requiring the preparation of an EIR or a supplement to a previously prepared EIR:
 - (a) A decision by a Lead City Agency that the project is exempt from the requirements of CEQA.
 - (b) The filing of a Negative Declaration with the City Clerk pursuant to the requirements of Section 4 of Article V of these Guidelines.
 - (c) The notice of the availability of a draft EIR for public review is published pursuant to the requirements of Section 3 of Article VI of these Guidelines.
- (2) The Director shall, within an additional 15 days, complete his review and investigations and notify the Lead City Agency whether the preparation of an EIR or a supplement to a previously prepared EIR will be required for the project in question.
- (3) If the Director requires the preparation of an EIR or a supplement to a previously prepared EIR, he shall advise the Lead City Agency of the specific areas of environmental concern upon which he is basing the requirement. The Director shall also forward a report to the City Council notifying the Council of the requirement and setting forth the reasons therefor.

ARTICLE II. DEFINITIONS

1. Applicant.

An applicant is a person who proposes to carry out a project and needs a lease, permit, license, certificate, or other entitlement for use, or who is requesting financing assistance from one or more public agencies to carry out a project.

2. Approval.

- Approval is the action by a Decision-Making Body which commits the City to a definite course of action with regard to a project intended to be carried out by any person.

a. Capital Improvement Projects.

- (1) Projects to be Funded by the Capital Improvement Expenditure Program of the Annual City Budget.

Approval occurs when the City Council, by motion adopted subsequent to the initial budget appropriation for a project, expressly authorizes the Lead City Agency to expend funds to proceed with the project. However, the expenditure of funds for the preparation of appropriate environmental documents, as well as for special reports, site utilization studies, schematic designs, title searches, appraisal services, and other related preliminary activities shall not constitute approval of such projects and does not require the prior adoption by the City Council of the above motion.

- (2) Projects Funded by Assessment Proceedings.

Approval occurs when the City Council grants the request of the petitioners or authorizes by resolution the institution of such proceedings.

b. Projects Not Funded in the Capital Improvement Expenditure Program.

- (1) General Rule.

Approval occurs when the project is authorized to proceed.

(2) General Plan and Zoning Amendments.

For portions or elements of the General Plan or Zoning Amendments, approval occurs upon final adoption by the City Council.

(3) Easement Vacations.

Approval occurs when the City Council approves the City Engineer's report and instructs the preparation of the ordinance of intention.

c. Projects to be Funded or Partially Funded by the City But Not Carried Out by the City.

Approval occurs when the Decision-Making Body commits itself to participation in the project.

d. Private Projects.

Approval occurs upon the earliest decision to issue a permit, license, certificate or other entitlement for use. However, if an appeal from such decision is taken, approval for purposes of filing the Notice of Determination does not occur until the final determination on appeal is made.

3. California Environmental Quality Act (CEQA).

California Environmental Quality Act (CEQA) is the State law implemented by these Guidelines and is contained in the California Public Resources Code, Section 21000 et seq.

4. Categorical Exemption.

A Categorical Exemption is an exemption from the requirements of CEQA based on a finding by the Secretary for Resources and the Los Angeles City Council that certain types of projects do not have a significant effect on the environment.

5. CEQA.

CEQA is the California Environmental Quality Act.

5.5. Cumulative Impacts.

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects.

6. Decision-Making Body.

A Decision-Making Body is the group or individual having project approval authority.

7. Deleted (Definition of DEQ).

8. Discretionary Project.

A discretionary project is an activity defined as a project which requires the exercise of judgment, deliberation, or a decision on the part of the public agency or body in the process of approving or disapproving a particular activity, as distinguished from activities where the public agency or body merely has to determine whether there has been compliance with applicable statutes, ordinances, or regulations.

9. Emergency.

Emergency means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

10. Environment.

Environment, for purposes of implementing CEQA, is the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

11. Environmental Documents.

Environmental documents are draft and final EIRs, Initial Studies, Negative Declarations, Notices of Completion, Notices of Determination, Notices of Exemption, Notices of Preparation and General Exemptions.

12. Environmental Impact Report (EIR).

An Environmental Impact Report is a concise statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.

a. Draft EIR.

A Draft EIR is an EIR containing the information required by Section 2 of Article VI of these Guidelines.

b. Final EIR.

A Final EIR is an EIR that has been subjected to the public review process and contains the information required by Section 7 of Article VI of these Guidelines.

c. Master EIR.

A Master EIR is an EIR covering a geographical area that may involve cumulative environmental impacts from a number of separate projects within the geographical area.

d. Program EIR.

A Program EIR is an EIR covering environmental factors that are common to a particular type of project.

e. Staged EIR.

A Staged EIR is an EIR that covers in general terms an entire project that will be subject to a number of discretionary approvals over time, evaluating with specificity only that aspect of the project before the Decision-Making Body for consideration.

13. Environmental Impact Statement (EIS).

An Environmental Impact Statement is an environmental impact report prepared pursuant to the National Environmental Policy Act (NEPA).

14. Feasible.

Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

15. Feasibility and Planning Studies.

Feasibility and planning studies are activities involving only studies for possible future actions which the agency, board or commission has not approved, adopted or funded.

16. Initial Study.

An Initial Study is a comprehensive analysis of those aspects of the environment which could potentially affect a project or be affected by a project conducted to determine whether a project may have a significant effect on the environment.

17. Lead Agency.

A Lead Agency is the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will prepare the environmental documents for the project either directly or by contract. Criteria for determining which agency will be the Lead Agency for a project are contained in Section 15065 of the State EIR Guidelines.

18. Lead City Agency.

A Lead City Agency is the City department, bureau, division, section, office, officer or agency which has the principal responsibility for carrying out a project which is subject to the provisions of CEQA, or has the principal responsibility for processing the application for a lease, permit, license, or other entitlement for use for a project which is subject to the provisions of CEQA. If more than one City Agency meets the Lead City Agency criteria, the

Lead City Agency shall be the City Agency that normally acts first on such projects.

19. Local Agency.

A local agency is any public agency other than a State agency, board or commission. The City of Los Angeles constitutes a single local agency.

20. Ministerial Projects.

Ministerial projects are activities undertaken by public agencies pursuant to a statute, ordinance or regulation that sets forth the conditions upon which the undertaking must or must not be granted. With these projects, the agency must act upon the given facts without regard to its own judgment or opinion concerning the propriety or wisdom of the act, although the statute, ordinance, or regulation may require, in some degree, interpretation of its language by an officer of the agency. In summary, a ministerial decision involves only the use of fixed standards or objective measurements without personal judgment.

21. National Environmental Policy Act (NEPA).

The National Environmental Policy Act (NEPA) is the federal law requiring an environmental assessment for federal actions that involve impacts on the environment. NEPA is set forth in 42 U.S.C.A. 4321 et seq.

22. Negative Declaration.

A Negative Declaration is a statement by the Lead Agency briefly setting forth the reasons why the project, although not otherwise exempt, will not have a significant effect on the environment and therefore does not require an EIR.

23. NEPA.

NEPA is the National Environmental Policy Act.

24. Notice of Completion.

A Notice of Completion is a notice filed with the Secretary for Resources by a Lead Agency as soon as it has completed a draft EIR and is prepared to send out copies for public review.

25. Notice of Determination.

A Notice of Determination is a notice to be filed by a Lead City Agency after a project subject to the provisions of CEQA has been approved.

26. Notice of Exemption.

A Notice of Exemption is a notice which may be filed by a Lead City Agency after the Lead City Agency has approved a project and has determined that it is a ministerial, categorically exempt, or emergency project.

26.5 Notice of Preparation.

A Notice of Preparation is a brief notice sent by a Lead City Agency by certified mail to notify Responsible Agencies that the Lead City Agency plans to prepare an EIR for a project. The purpose of the notice is to solicit guidance from the Responsible Agencies as to the scope and content of the environmental information to be included in the EIR.

27. Participating City Agency.*

A Participating City Agency is a City department, bureau, division, section, office, officer or agency which is required by Charter or action of the City Council to review a particular class of projects and make comments or recommendations to the Lead City Agency.

28. Person.

Person includes any person, firm, association, organization, partnership, business, trust, corporation and company, and any district, county, city and county, city, town, the State, and the political subdivisions of such entities.

29. Persons with Special Expertise.

Persons with special expertise are those individuals with experience, knowledge or formal education in disciplines germane to specific contents of environmental documents that

* For example, the Traffic Department would be a Participating City Agency in its role as a reviewing and recommending agency to the Planning Department on projects subject to the Subdivision Map Act.

will allow them to offer authoritative information and opinions for the preparation and review of such documents. These persons may be members of the general public, or employees of private companies or governmental agencies.

30. Project.

- a. A project is the whole of an action, which has a potential for resutling in a physical change in the environment, directly or ultimately, that is any of the following:
 - (1) An activity to be directly undertaken by a public agency.
 - (2) An activity undertaken by a person which is supported in whole or in part through contracts, grants, subsidies, loans or other forms of assistance from one or more public agencies.
 - (3) An activity involving the issuance to a person of a lease, permit, license, certificate or other entitlement for use by one or more public agencies.
 - (4) The enactment and amendment of local zoning ordinances and local general plans or elements thereof.
- b. The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

31. Project Sponsor.

The project sponsor is the private applicant, City agency, or other public entity that proposes to carry out the project.

32. Proprietary Department.

A proprietary department is a department having control over its own special funds.

33. Public Agency.

A public agency is any State agency, board, or commission, or any local agency as defined in these Guidelines. The courts of the State and agencies of the federal government are not public agencies for purposes of CEQA compliance. The City of Los Angeles constitutes a single public agency.

34. Recirculation.

Recirculation is the act of circulating for public review a previously reviewed environmental document for the purpose of examining significant new information or data not contained in the original document.

35. Responsible Agency.

A Responsible Agency is a public agency, such as a city or county, which proposes to carry out or has approval power over a project, but is not the Lead Agency for the project.

36. Significant Effect.

Significant effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

37. State EIR Guidelines.

The State EIR Guidelines are the State of California Guidelines for the Implementation of the California Environmental Quality Act and are contained in Title 14, Division 6 of the California Administrative Code.

38. Statement of Overriding Considerations.

A Statement of Overriding Considerations is a statement identifying other public objectives that, in the opinion of the Decision-Making Body, warrant approval of a project notwithstanding its substantial adverse impact on the environment.

39. Supporting Data.

Supporting data is the information and analysis gathered or prepared for the Initial Study that supports the conclusions relative to the project's possible environmental impact.

40. Terminology.

The following words are used to indicate whether a particular provision in these Guidelines is mandatory, advisory, or permissive:

- a. "Must" or "shall" identifies a mandatory provision which all City agencies are required to follow.
- b. "Should" identifies areas wherein guidance is provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, or in federal court decisions which California courts can be expected to follow. City agencies shall follow this guidance in the absence of compelling, countervailing considerations.
- c. "May" identifies a permissive provision left to the discretion of the City agencies involved.

ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES
OF THE CITY OF LOS ANGELES

1. General Rule and General Exemption.

These Guidelines apply generally to discretionary actions by City agencies which may have a significant effect on the environment. However, where it can be seen with reasonable certainty that the type of activity in question could not possibly have a significant effect on the environment, the activity is not covered by CEQA and these Guidelines do not apply.*

2. Exempt Activities.

The following activities are exempt from the requirements of CEQA and these Guidelines and no EIR or Negative Declaration is required:

a. Emergency projects, such as:

- (1) Projects undertaken, carried out, or approved by a City agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area for which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code.
- (2) Emergency repairs to public service facilities necessary to maintain service.
- (3) Specific actions necessary to prevent or mitigate an emergency.

b. Ministerial projects,** such as:

* A form that may be used for this general exemption is attached as Exhibit J.

** Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA. (State EIR Guidelines, Section 15073(d).)

- (1) Issuance of building permits, including:
 - (a) Demolition permits except those involving the demolition or removal of buildings or structures of historical, archaeological or architectural consequence as officially designated by federal, State or local governmental action.
 - (b) Electrical permits.
 - (c) Heating, ventilating, air-conditioning and refrigeration permits.
 - (d) Elevator permits.
 - (e) Boiler and pressure vessel permits.
 - (f) Plumbing permits.
 - (g) Relocation permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Issuance of Fire Department permits necessary for the safeguarding of life and property from the hazards of fire, explosion or panic.
- (5) Approval and installation of individual utility service connections and disconnections, including:
 - (a) Water and electrical facilities to serve approved projects of public agencies, including, but not limited to, street lighting systems, fire hydrants, etc.
 - (b) Utility extensions of reasonable length to serve projects for which permits have been issued.
- (6) Permits issued by the Department of Public Works as follows:
 - (a) Class "A" permits for construction or repair of sidewalks, driveways and curbs.
 - (b) Excavation permits except those involving areas of archaeological consequence as officially designated by federal, State or local governmental action.

- (c) House-moving permits.
 - (d) Permits for house numbers on curbs.
 - (e) Manhole cover permits.
 - (f) Overload permits (height, width and weight).
 - (g) Permit for lease dump truck (personal).
 - (h) Sewer permits (special connections).
 - (i) Storm drain connection permits.
 - (j) Permits for private rubbish trucks.
- (7) Projects requiring the approval of the City Planning Department:
- (a) Parcel Maps - determination that existing regulations do not apply.
 - (b) Airport Approach Zoning Regulations - Planning Director authority to determine airport hazard area boundaries.
 - (c) Change of Zone or Height District (Ordinances implementing change): Removal of "F" Funded Improvement - removal of designation from map; "Q" and "T" Classification - removal of designation from map; and "Q" plot plan approval pursuant to precise instructions from City Council leaving no discretion.
 - (d) Office of Zoning Administration - plot plan approvals pursuant to precise instructions or conditions leaving no discretion.
 - (e) Conditional Uses - plot plan approvals pursuant to precise instructions from the Decision-Making Body.
- (8) Engineering permits issued in accordance with an entitlement for use previously granted.
- (9) Permits issued by the Department of Traffic as follows:
- (a) Searchlight permits.
 - (b) Bicycle rack permits.
 - (c) Vendors' permits.

- c. Categorical Exemptions, as set forth in Article VII of these Guidelines.
- d. Feasibility and planning studies for possible future action, although such studies shall include consideration of environmental factors.
- e. Proposals for legislation to be enacted by the State Legislature.
- f. Continuing administrative, maintenance and personnel-related activities.*
- g. The submission of proposals to a vote of the people of the City of Los Angeles.
- h. Any activity specifically exempted from the requirements of CEQA by State law.
- i. Any activity (approval of bids, execution of contracts, allocations of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of these Guidelines.
- j. Projects which are rejected or disapproved.**
- k. Actions undertaken by the City of Los Angeles relating to any power plant site or facility, including the expenditure, obligation or encumbrance of funds for planning, engineering or design purposes, or for the purchase of equipment, fuel, steam or power for such a power plant, if the power plant site and related facility will be the subject of an EIR or Negative Declaration prepared by:

* This subsection should not be construed by City Agencies to exempt them from their ongoing programs that impact on the environment.

** This Subsection is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the environmental review process where the Lead City Agency can determine that the project cannot be approved. This Subsection shall not be construed to relieve an applicant from paying the costs of an EIR or Negative Declaration prepared for his project prior to a disapproval after normal project evaluation and processing.

- (1) The State Energy Resources Conservation and Development Commission,
- (2) The Public Utilities Commission, or
- (3) The City or County in which the power plant and related facility would be located.

1. Activities or approvals necessary to the bidding for, hosting or staging of, and funding or carrying out of, Olympic Games under the authority of the International Olympic Committee (IOC), except for the construction or enlargement of facilities necessary for such Olympic Games. If such facilities are required by the IOC as a condition of being awarded the Olympic Games, the Lead City Agency need not discuss the "no project" alternative in the EIR with respect to those facilities.
- m. The adoption of ordinances that do not result in impacts on the physical environment.

3. Notice of Exemption.*

a. Public Projects.

When a Lead City Agency approves a project that is exempt from the requirements of CEQA because it is an emergency project, a ministerial project, or categorically exempt, the Lead City Agency may file a Notice of Exemption. The Notice shall include the following:

- (1) A concise description of the project.
- (2) A finding that the project is exempt, including a reference to the City Guideline provision under which it is found to be exempt.
- (3) A brief statement of reasons to support the finding.

b. Private Projects.

Whenever the Decision-Making Body of a Lead City Agency approves an applicant's project, the Lead City Agency

* The form to be utilized for the Notice of Exemption is attached as Appendix A.

or the applicant may file a Notice of Exemption. A Notice of Exemption filed by an applicant shall contain the information required in subsection a above, together with a certified document issued by the Lead City Agency stating that it has found the project to be exempt.

c. Filing of the Notice.*

The Notice of Exemption, where used, shall be filed with the County Clerk** of the county or counties in which the project will be located and with the City Clerk. The City Clerk shall make such notices available for public inspection.

4. Redevelopment Projects.

All City and private activities in connection with a redevelopment plan constitute a single project for purposes of compliance with CEQA and these Guidelines.

a. Preparation of the EIR.

The Community Redevelopment Agency (CRA) shall be the Lead Agency for purposes of compliance with CEQA and shall prepare the EIR for a redevelopment plan. The CRA shall consult with all Participating City Agencies prior to the circulation of a draft EIR for public review.

b. Timing of the EIR.

A final EIR shall be completed prior to the submission of the redevelopment plan to the City Planning Commission.

* Any action or proceeding alleging that a public agency has improperly determined that a project is an emergency project, a ministerial project, or categorically exempt, and therefore not subject to the provisions of CEQA, shall be commenced within 35 days after the filing of the Notice of Exemption with the County Clerk. Public Resources Code Section 21167(d).

** Section 15074(d) of the State EIR Guidelines requires that copies of all such notices be made available for public inspection and that a list of such notices be posted on a weekly basis for a period of 30 days in the office of the County Clerk.

c. The City Planning Commission (CPC).

The CPC shall consider the contents of the proposed final EIR in making its recommendation to the City Council on the proposed redevelopment plan.

d. Certification by the CRA and the City Council.

(1) CRA.

At the time it approves the redevelopment plan, the CRA shall certify that the EIR was prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

(2) City Council.

The City Council, as a Responsible Agency, shall certify that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

e. Supplementing the EIR.

The EIR for a redevelopment plan shall be supplemented if any of the following occurs:

- (1) The CRA or the City Council proposes changes to the plan which, if implemented, could result in a significant effect on the environment.
- (2) The CRA or the City Council is not satisfied with the adequacy or the accuracy of the information contained in the EIR.

f. Recirculation of a Supplemented EIR.

The question of whether to recirculate for public review a supplemented EIR for a redevelopment plan shall be determined according to the criteria set forth in Section 9e of Article VI of these Guidelines.

5. Projects Involving Federal Approval or Funding.

a. Concurrent Satisfaction of the Requirements of Both CEQA and NEPA.

For those projects where both an EIR and an EIS will be required because a City project involves federal

approval or funding, one report should be prepared satisfying the requirements of both CEQA and NEPA. To the extent that federal guidelines for the preparation of the EIS require inclusion of matters excluded from City EIRs by the policies set forth in Section 4 of Article I of these Guidelines, such City policies do not apply.* Where a combined EIR/EIS will be prepared, the Lead City Agency shall involve the appropriate federal agency during all stages of its preparation and processing.**

b. Use of an EIS to Satisfy the Requirements of CEQA.

If an EIS has been completed and subjected to public review pursuant to NEPA in connection with the federal approval or funding of a City project, then the EIS may be used without further processing or public review to satisfy the requirements of CEQA, provided that:

- (1) The Decision-Making Body certifies that the information contained in the EIS satisfies the requirements of Section 21100 of the Public Resources Code;***

* Projects that are exempt under CEQA from the requirement of an environmental assessment are not necessarily exempt under NEPA. The environmental guidelines of the federal agency involved should be consulted to ascertain which projects are exempt and how to process environmental documents for non exempt projects.

** Federal law generally prohibits a federal agency from using an environmental document prepared by a state or local agency unless the federal agency was involved in the preparation of the document.

*** Public Resources Section 21100 requires that an EIR contain a detailed statement setting forth the following:

- "(a) The environmental impact of the proposed action.
- (b) Any adverse environmental effects which cannot be avoided if the proposal is implemented.
- (c) Mitigation measures proposed to minimize the impact including, but not limited to, measures to reduce wasteful, inefficient, and unnecessary consumption of energy.

(Continued)

- (2) The federal agency involved circulated the EIS for public review as broadly as required by Section 4 of Article VI of these Guidelines and gave notice that meets the standards set forth in Section 3 of Article VI of these Guidelines, and
- (3) The Lead City Agency gives notice that it will use the EIS in the place of an EIR and that it has determined that the EIS meets the requirements of CEQA. Such notice shall be given by publication at least once in a newspaper of general circulation in the area affected by the project at least 30 days prior to approval of the project.

6. Multiproject Environment Reviews.

a. Phased Projects.

Where a project that may have a significant effect on the environment is to be undertaken in phases, such as the construction of a 300-unit residential development in 100-unit increments, the Lead City Agency must prepare a single EIR for the total undertaking.

b. Projects That Are a Necessary Precedent to or a Commitment to a Larger Project.

Where an individual project is a prerequisite for, or commits the City to a larger project that may have a significant effect on the environment, such as the acquisition of land for purposes of later constructing

(Continued)

- (d) Alternatives to the proposed action.
- (e) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
- (f) Any irreversible environmental changes which would be involved in the proposed action should it be implemented.
- (g) The growth-inducing impact of the proposed action."

The [EIR] shall also contain a statement briefly indicating the reasons for determining that various effects of a project are not significant and consequently have not been discussed in detail in the environmental impact report.

a public facility, the Lead City Agency must prepare an EIR that addresses the scope of the larger project.

c. Similar but Unconnected Projects.

An EIR prepared for one project may be used as the EIR for another project where it can be shown that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The following procedures shall be complied with:

- (1) The EIR shall be supplemented with the following information:
 - (a) A concise description of the new project.
 - (b) A map showing the location of both projects.
 - (c) Minor differences, if any, in the environmental impacts of the two projects.
 - (d) Information as to when the earlier project was considered by the Decision-Making Body and whether there have been any significant changes in the area surrounding the two projects since such consideration.
- (2) A cover sheet shall be attached to the EIR stating that the Lead City Agency is using an EIR prepared for a similar project as the EIR for the subject project and declaring that the Lead City Agency finds that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The reasons supporting such a finding shall be set forth.
- (3) The EIR, together with its supplemental information and cover sheet, shall be circulated for public review for 30 days.
- (4) After the public review period is over, the Lead City Agency shall respond in writing to any comments received, including those relating to the propriety of utilizing the EIR for the subject project.
- (5) The EIR shall then constitute the proposed final EIR for the subject project and shall be further processed pursuant to Sections 8 through 11 of Article VI of these Guidelines.

d. Use of a Single EIR for Several Similar Projects.

Where a project is one of several similar projects of a Lead City Agency but is not deemed a part of a larger project, a single EIR may be prepared for a number of such projects rather than a separate EIR for each project.

e. Program EIRs.

- (1) Program EIRs, when considered appropriate by Lead City Agencies, may be used to evaluate environmental factors that are common to a particular type of project. The Program EIR shall contain a discussion of the following:
 - (a) A description of the type of project;
 - (b) An evaluation of the environmental factors common to the type of project;
 - (c) Feasible mitigation measures available to reduce or eliminate adverse environmental consequences;
 - (d) Feasible alternatives to the type of project involved;
 - (e) The long-term environmental implications of the type of project; and
 - (f) The growth-inducing impact of the type of project.
- (2) After a Program EIR has been prepared, it may be thereafter used as a reference document in the preparation of specific project EIRs. The Program EIR may be attached to the specific project draft EIR as an appendix or the specific project draft EIR may set forth a summary of the Program EIR and indicate where a copy of the Program EIR may be obtained or reviewed.
- (3) Program EIRs should be prepared in connection with the EIR for a specific project to be undertaken or approved by a Lead City Agency where involvement in future projects having similar environmental impacts can be reasonably foreseen.

f. Master EIRs.

- (1) A Master EIR, when considered appropriate by Lead City Agencies, may be prepared for geographical areas that, if developed, would cumulatively impact on the environment. Thereafter, when an EIR is required for a project that is a part of an area for which a Master EIR has been prepared and approved by the appropriate Decision-Making Body, the EIR on the specific project need only address significant environmental effects and feasible mitigation measures and alternatives not discussed in the Master EIR.
- (2) The Lead City Agency shall attach the Master EIR to the smaller project draft EIR as an appendix or set forth a summary of the Master EIR in the specific project EIR and indicate where a copy of the Master EIR may be obtained or reviewed.
- (3) Master EIRs should be prepared in connection with the EIR for a specific project where it can be reasonably foreseen that there will be future development cumulatively impacting the environment impacted by the specific project.

g. Staged EIRs.

- (1) Where a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than 2 years before construction will begin, a staged EIR may be prepared covering the entire project in a general form. The staged EIR should evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before the public agency for approval shall be discussed with a greater degree of specificity.
- (2) When a staged EIR has been prepared, a supplement to the EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.
- (3) Where a statute such as the Warren-Alquist Energy Resources Conservation and Development Act provides that a specific agency other than the

City of Los Angeles shall be the Lead Agency for a City project and prepare the EIR, and the City must grant, as a Responsible Agency, an approval for the project prior to completion of the EIR by the Lead Agency, the appropriate Lead City Agency may prepare a staged EIR for consideration in connection with such approval.

6.5. Use of a General Plan EIR With Subsequent Projects.

The EIR on a general plan may be used as the foundation document for EIRs subsequently prepared for specific projects within the geographic area covered by the general plan. The subsequent EIRs may reference and summarize material in the EIR on the general plan for the description of the general environmental setting and as much of the description of the environmental impacts as applies to the specific project. Detailed information in the EIR on the specific project may be limited to a description of the project, the specific environmental setting and those impacts which are not adequately described for the specific project in the EIR on the general plan. When a subsequent EIR refers to an EIR on the general plan for part of its description of the environment and the environmental impacts, copies of the EIR on the general plan shall be made available to the public in a number of locations in the community and to any clearinghouses which will assist in public review of the EIR. The purpose of this section is not to restrict analysis of environmental issues but is to avoid the necessity for repeating detail from a General Plan EIR.

7. (Deleted.)

8. Ongoing Projects.

- a. A project to be carried out by a City agency that was approved prior to November 23, 1970, shall not require an EIR unless the project may have a significant effect on the environment and one or more of the following conditions exist:

- (1) A substantial portion of public funds allocated for the project has not been spent, and it is still feasible to modify the project to mitigate potentially adverse environmental effects, choose feasible alternatives to the project, or halt the project. This subsection (1) shall not apply to projects that come under the jurisdiction of NEPA where the appropriate federal agency has found

that the project was too far advanced at the time of NEPA's effective date to require an EIS.

- (2) Modifications are proposed to the project that may have significant effects on the environment that are new or substantially more significant.

ARTICLE IV: INITIAL STUDY

1. General.

If a project is subject to the requirements of CEQA and not exempted by these Guidelines, the Lead City Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment, unless it is clear that the project will have a significant effect and an EIR is to be prepared. If any aspects of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. To meet the requirements of this section, the Lead City Agency may use an Initial Study prepared pursuant to the National Environmental Policy Act.

1.5. Purposes of an Initial Study.

The purposes of an Initial Study are to:

- a. Identify environmental impacts.
- b. Enable an applicant or Lead City Agency to modify a project, mitigating adverse impacts before an EIR is written.
- c. Focus an EIR, if one is required, on potentially significant environmental effects.
- d. Facilitate environmental assessment early in the design of a project.
- e. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
- f. Eliminate unnecessary EIRs.

1.6. Uses of an Initial Study.

- a. The Initial Study shall be used to provide a written determination of whether a Negative Declaration or an EIR shall be prepared for a project.
- b. Where a project is revised in response to an Initial Study so that potential adverse effects are mitigated

to a point where no significant environmental effects would occur, a Negative Declaration shall be prepared instead of an EIR. If the project would still result in one or more significant effects on the environment after mitigation measures are added to the project, an EIR shall be prepared.

- c. The EIR shall emphasize study of the impacts determined to be significant and can omit further examination of those impacts found to be clearly insignificant in the Initial Study.

2. Preparation of the Initial Study.*

a. Contents.

An Initial Study shall be in written form and shall contain the following:

- (1) A concise description of the project;
- (2) A brief description of the existing environment where the project will be located;
- (3) An identification of environmental effects by use of a checklist;**
- (4) An assessment, quantified where feasible, of the environmental impacts of the project, including reasons why such impacts may or will not be significant;
- (5) A discussion of ways to mitigate the significant effects identified, if any; and
- (6) An examination of whether the project is compatible with existing zoning and plans;

* A form that may be utilized for the Initial Study is attached as Appendix B. Lead City Agencies shall develop a checklist that will ensure that all possible areas of environmental impact from projects they process are considered. The checklist and worksheets used to quantify or qualify those areas where a project has some impact on the environment shall be attached to the Initial Study as supporting data.

** A form that should be utilized for the Initial Study Checklist is attached as Appendix I.

- (7) The name of the person or persons who prepared or participated in the Initial Study; and
- (8) A recommendation as to whether an EIR or a Negative Declaration is the appropriate environmental document for the project. If any of the possible adverse environmental impacts of the proposed project may be significant and will not be mitigated, the recommendation must be that an EIR be prepared.
- (9) When used together, the sample forms for the project description and environmental analysis contained in Appendices H and I will meet the requirements for an Initial Study.

b. Undefined Use.

In those instances where the precise nature of the ultimate project is not known, such as a zone change that would permit a variety of uses, the Initial Study must consider the significant environmental implications of all uses permitted by the proposed project. However, if the approval of the project is to be conditioned upon a particular use, the Initial Study need consider only the environmental implications of the use that will be permitted.

c. Private Projects.

If a project is to be carried out by a non-governmental person, the Lead City Agency may require such person to submit data and information to aid the Lead City Agency in preparing the Initial Study.*

d. Consultation with Responsible Agencies.

Prior to determining whether a Negative Declaration or an EIR is the appropriate environmental document, the Lead City Agency shall consult with all Responsible Agencies. This consultation may be informal and shall be done at the beginning of the Initial Study process. A record shall be kept regarding the following for each consultation:

* A form that may be utilized for the Environmental Information Form is attached as Appendix H.

- (1) The Responsible Agency contacted, including the name and title of the individual within the agency to whom the contact was directed.
- (2) The method of contact (letter, telephone or personal).
- (3) The response, if any, resulting from the contact.

e. Consultation With Participating City Agencies.

The Lead City Agency shall also consult with all Participating City Agencies regarding whether environmental effects of the proposed project may be significant.

3. Determining Significant Effect on the Environment.

The following factors shall be considered in evaluating whether the project may have a significant effect on the environment:

- a. Each of the factors set forth in the list attached as Appendix G.
- b. A project shall be found to have a significant effect on the environment if:
 - (1) The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory;
 - (2) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals;
 - (3) The project has possible environmental effects which are individually limited but cumulatively considerable. As used in this subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects;

(4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

c. If the Lead City Agency finds after an Initial Study that the project may have a significant effect on the environment, the Lead City Agency must prepare or cause to be prepared an EIR.

(1) An EIR should be prepared whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment.

(2) An EIR should be prepared when there is serious public controversy concerning the environmental effect of a project.* Controversy not related to an environmental issue does not require the preparation of an EIR.

4. Mitigation Measures.

If there are legally enforceable mitigation measures available to reduce substantial adverse environmental impacts to insignificant levels, and the project is redesigned to incorporate such mitigation measures, and there are no other substantial adverse impacts, an EIR will not be required.**

* The existence of a factual controversy, uncertainty, conflicting assertions, argument, or public controversy will not by itself require the preparation of an EIR when there is no substantial evidence that the project as designed and approved may have a significant effect on the environment. Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975). (Court of Appeal interpretation of the statement of the California Supreme Court in No Oil, Inc. v. City of Los Angeles, 13 Cal.3d 68 (1974), to the effect that "the existence of serious public controversy concerning the environmental effect of a project in itself indicates that preparation of an EIR is desirable.")

** This procedure was approved by the Court of Appeal in Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975). Also see Section 15080(d)(2) of the State EIR Guidelines.

5. Consideration of the Initial Study.

a. General.

Except as otherwise set forth in this section, each Lead City Agency shall designate a person or persons to consider Initial Studies and make recommendations as to whether proposed projects may have a significant effect on the environment. The identity of the person who prepared the Initial Study shall be made available to the public upon request.

b. Projects Involving Land Acquisition or Physical Development to be Carried Out by Council-Controlled Departments Where the City Council Is the Decision-Making Body, Except Projects Involving the Fire Department Facilities Trust Fund Expenditure Program.

For projects involving land acquisition or physical development to be carried out by Council-controlled departments where the City Council is the Decision-Making Body, except projects involving the Fire Department Facilities Trust Fund Expenditure Program, the Initial Study shall be submitted to the City Council for consideration and decision. No funds shall be expended on such projects, other than funds necessary to prepare the Initial Study, until the Lead City Agency is instructed by the City Council to prepare the appropriate environmental documents. Funds may then be expended to the extent necessary to prepare and process such documents.

ARTICLE V. NEGATIVE DECLARATION

1. Preparation of the Negative Declaration.*

A Negative Declaration shall be prepared for a project which could potentially have a significant effect on the environment, but which the Lead City Agency finds on the basis of an Initial Study will not have a significant effect on the environment.

2. Content of the Negative Declaration.

A Negative Declaration shall include the following:

- a. A brief description of the project, including a commonly used name for the project, if any;
- b. The location of the project and the name of the project proponent;
- c. A finding that the project will not have a significant effect on the environment;
- d. An attached copy of the Initial Study documenting the reasons to support the finding;
- e. Mitigation measures, if any, included in the project to avoid potentially significant effects.
- f. Written objections to the Negative Declaration, if any, received during the public review period, together with the Lead City Agency's response to such objections.

3. Consultation.

Before completing a Negative Declaration, the Lead City Agency shall consult with all Responsible Agencies. Lead City Agencies may impose reasonable time constraints within which other agencies must provide their input. If a Responsible Agency does not provide its input within such time constraints, the Lead City Agency may assume that the agency has no comments to make. This consultation requirement may be satisfied by forwarding a copy of the

* The form to be utilized for the Negative Declaration is attached as Appendix C.

completed Negative Declaration to the Responsible Agency at the same time the Negative Declaration is made available for general public review pursuant to Section 4 of this Article.

4. Public Review.

- a. After the proposed Negative Declaration has been completed, it shall be filed with the City Clerk and made available for public review for a minimum of 30 days prior to approval of the project. During the 30-day period the Lead City Agency shall also consult with the following:
 - (1) Any public agency exercising authority over resources which may be affected by the project;
 - (2) Any city or county which is the site of the project or is in an area in which the environmental effects of the project will occur.*
- b. If a State agency is a Responsible Agency or exercises authority over resources which may be affected by the project, the Negative Declaration, together with its supporting data, shall be sent to the State Clearinghouse at the same time it is filed with the City Clerk.
- c. During the 30-day public review period the Lead City Agency may consult with persons having special expertise with respect to any environmental impact involved.
- d. The Negative Declaration must also be made available upon request to members of the general public during the 30-day period. The 30-day public review period shall commence on the date notice of preparation of the Negative Declaration is published as required by Section 5 of this Article.
- e. Written objections to the Negative Declaration received by the Lead City Agency during the 30-day public review period shall be attached to the Negative Declaration, together with the response of the Lead City Agency to such objections.

* The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

- f. Whenever a Negative Declaration is prepared for a project meeting the criteria set forth in Section 5.5 of Article VI of these Guidelines relating to projects of statewide or regional significance, the Negative Declaration shall be submitted to the State Clearinghouse and the Southern California Association of Governments for review and comment.

5. Notice.

a. Required Notice.

Notice of the preparation of a Negative Declaration shall be provided to the public within 7 days of the filing of the Negative Declaration with the City Clerk. The Lead City Agency shall submit sufficient information to the City Clerk to enable the general public to ascertain the nature, scope and location of the proposed project and how a copy of the Negative Declaration can be obtained for review. The City Clerk shall ensure that such information is published at least once in a newspaper of general circulation in the area affected by the proposed project. Notice shall also be given to all organizations and individuals who have previously requested such notice for the subject project.

b. Additional Notice.

The alternatives for providing notice specified in Subsection a shall not preclude a Lead City Agency from providing additional notice by other means if so desired, nor shall the requirements of this section preclude a Lead City Agency from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project. Additional notices may include:

- (1) Posting of notice on and off site in the area where the project is to be located.
- (2) Direct mailing to owners of property contiguous to the project.

6. Consideration of the Negative Declaration by the Decision-Making Body.

a. Submittal of Negative Declaration to Decision-Making Body.

A copy of the Negative Declaration, including a copy of the Initial Study, the names of persons consulted in the preparation and review of the Negative Declaration, any comments received regarding the validity of the finding that the project will not have a significant effect on the environment, and the response of the Lead City Agency to such comments, shall be forwarded to each member of the Decision-Making Body of the Lead City Agency no later than two days prior to consideration of the project by the Decision-Making Body.

b. Consideration of Negative Declaration and Supporting Data.

The Decision-Making Body shall review and consider the Negative Declaration in connection with its determination of whether or not to approve the project.

c. Adoption of Negative Declaration.

If the Decision-Making Body finds there is sufficient data to support a finding that the project will not have a significant effect on the environment, it shall adopt the Negative Declaration. Such adoption shall be prior to or concurrent with the decision to approve or disapprove the project.

d. Inadequate Support for Negative Declaration.

If the Decision-Making Body finds that there is insufficient data to support a finding that the project will not have a significant effect on the environment, it shall either request the Lead City Agency to provide additional data or instruct the Lead City Agency to prepare an EIR. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.

e. Proprietary Department Project Needing City Council Approval.

Where a proprietary department is the Lead City Agency for a project for which a Negative Declaration has been prepared and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are

Decision-Making Bodies and both shall comply with this section in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

7. Notice of Determination.*

a. Content of the Notice of Determination.

After a decision is made to carry out or approve a project for which a Negative Declaration has been approved, the Lead City Agency shall prepare and file a Notice of Determination, which shall include:

- (1) The decision of the Decision-Making Body to approve the project.
- (2) The determination that the project will not have a significant effect on the environment.
- (3) A statement that no EIR has been prepared for the project.
- (4) The address where a copy of the Negative Declaration may be examined.

b. Filing of the Notice.

The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the City Clerk.**

c. (Deleted.)

d. State Agency is Responsible Agency.

If the project requires the discretionary approval of a state agency, a copy of the Notice of Determination shall be filed with the Secretary for Resources, 1416 Ninth Street, Sacramento, California 95814.

* The form to be used for the Notice of Determination is attached as Appendix D.

** Any action or proceeding alleging that a public agency has improperly determined whether a project may have a significant effect on the environment shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk.

e. City Council is Decision-Making Body.

In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

ARTICLE VI. PREPARATION AND PROCESSING OF EIRs

1. Preparation of the EIR.

The EIR for a project shall be prepared by the Lead City Agency by its own efforts or by contract. Any disputes regarding this responsibility shall be submitted to the City Council for resolution. If the project is to be carried out by a private applicant, the applicant shall be required to submit data and information to aid the Lead City Agency in preparing the EIR.*

2. The Draft EIR.

a. Contents.** The draft EIR shall contain a concise discussion of the following elements:***

(1) Description of the Project.

The description of the project shall contain only that information necessary for evaluation and review of the project's environmental impact.

(a) The location and boundaries of the project shall be shown on a map, preferably topographic. A plot plan shall be provided and shall indicate the location of any proposed improvements.

(b) A statement of the objectives of the proposed project.

* Acceptance by the Lead City Agency of data and information in the form of a draft EIR requires compliance with Section 2e of this article.

** Section 2a is explanatory of Sections 15140, 15141, 15142 and 15143 of the State EIR Guidelines and does not represent a departure from the State requirements.

*** Each element must be covered, and when these elements are not separated into distinct sections, the document shall state where in the document each element is discussed.

- (c) A general description of the project's planning, construction, and operational characteristics. If the project is to be developed in more than one phase, identify the phases and the projected time frame for the implementation of each phase. The EIR shall cover all phases of the project.

(2) Brief Overview of the Project's Environmental Setting.

(a) Existing Conditions.

The EIR must contain a brief overview of the environment in the vicinity of the project from both a local and a regional perspective, as it exists prior to commencement of the project. Current land use and zoning maps in scales appropriate to the nature of the project should be included.

(b) Related Projects.

Identify related projects (public or private, existing or known to be planned) in the vicinity of the project.

(3) Environmental Impacts of the Proposed Project.

Discuss each potentially significant environmental impact identified in the Initial Study. In evaluating such impacts, consider all phases of the project - planning, development and operation. Support conclusions with quantified data, where feasible. The following topics shall be covered in each discussion of an environmental impact:

(a) Environmental Setting.

Describe existing conditions that will be affected by the particular impact.

(b) Significant Environmental Impacts.

Describe potentially significant adverse and beneficial environmental impacts that could result from project implementation.

(c) Mitigation Measures.

Describe significant, avoidable, adverse impacts, and measures to minimize these impacts. The discussion of mitigation

measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures that are not included but could reasonably be expected to reduce adverse impacts. This discussion shall include an identification of the acceptable levels to which such impacts will be reduced, and the basis upon which such levels were identified. Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Any mitigation measure that is available and would substantially reduce the environmental impact of the proposed project shall be evaluated for feasibility and the reasons why the mitigation measure is or is not feasible set forth.

(d) Unavoidable Adverse Impact.

Describe any significant impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed notwithstanding their effect, should be described. Describe significant impacts on any aesthetically valuable surroundings, or on human health.

(e) Cumulative Impacts.

Describe possible environmental effects of the project which are individually limited but may be cumulatively considerable when viewed in connection with the effects of past projects, other current projects and probable future projects.

(4) Measures to Reduce Energy Consumption.*

- (a) Identify measures incorporated into the project design to reduce inefficient and unnecessary consumption of energy.

* Examples of energy conservation measures are provided in Appendix F.

- (b) Discuss alternative or additional measures which could further reduce consumption.

(5) Long-Term Implications of the Proposed Project.*

Describe the cumulative and long-term effects of the proposed project in the context of the following where relevant to the type of project involved:

(a) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity.

- (i) Identify impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety.
- (ii) Explain why the project is justified now, rather than reserving an option for alternatives which may not now be feasible but which may be in the future.

(b) Irreversible Environmental Changes Which Would be Involved in the Proposed Project if it Is Implemented.

- (i) Describe the irretrievable commitment of resources, both in the construction and operation of the project, and provide justification for such consumption.
- (ii) Discuss whether commitment of the site to this use would restrict future generations to the same use.
- (iii) Discuss irreversible environmental damage that could result from negligent operation or failure of the project's environmental safeguards.

* Pursuant to authority contained in State EIR Guideline Section 15143.1, the information required by Paragraphs (a) and (b) of this Subdivision need be included only in EIRs prepared in connection with the adoption, amendment, or enactment of a plan, policy, or ordinance of the City, or in connection with a project which will be subject to the requirements of an EIS pursuant to the requirements of NEPA.

(c) The Growth-Inducing Impact of the Proposed Action.

- (i) Identify the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Determine whether increases in population could further burden existing community services facilities or require the construction of new facilities.
- (ii) Discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.
- (iii) It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

(6) Alternatives to the Proposed Action.

- (a) Describe all reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project. The discussion of alternatives shall include alternatives capable of substantially reducing or eliminating any significant effects even if these alternatives substantially impede the attainment of the project objectives and are more costly.
 - (i) Alternative means of attaining the basic objectives of the project.* This type of alternative generally does not apply to private projects.
 - (ii) Alternative uses of the site.

* For example, there may be several alternatives for providing electrical energy - coal, fuel oil, nuclear power, etc. Ideally, alternatives should be evaluated prior to project selection and the project which minimizes adverse impact while attaining basic objectives of the project sponsor should be set forth as the project proposal.

(iii) Alternative sites.

(iv) The alternative of no project or postponing the project.

(b) If an alternative appears reasonable on its face, but further studies indicate that it is not reasonable, the alternative should be briefly discussed and the reasons why the alternative is not reasonable set forth.

(c) Identify the environmental impacts of the various alternatives, including the proposed project. Explain why the proposed project was selected.

(d) Any alternative that is reasonable and would substantially lessen the environmental impact of the proposed project if approved in its place shall be evaluated for feasibility and the reasons why the alternative is or is not feasible set forth.

b. Degree of Specificity.

The degree of specificity required in each EIR is a variable which depends on the nature of the project proposed. An EIR on a construction project will be more detailed in the specific effects of the project

than will an EIR on the adoption of a local general plan element or comprehensive zoning ordinance, because the effects of the construction can be predicted with greater accuracy. In those instances where the precise nature of the ultimate project is unknown, such as a zone change that would permit a variety of uses, the EIR must encompass the significant environmental implications involved if the project is approved. An EIR on comprehensive projects such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan element should focus on the environmental consequences of policies and programs contained in the plan or the ordinance. To the extent possible the EIR should discuss the cumulative and growth-inducing impacts of implementing such policies and programs.

c. Appendices.

(1) Identity of Preparer of EIR.*

Identify that person within the Lead City Agency responsible for the preparation of the EIR. Identify consultants that prepared any portion of the EIR or who provided reports or other expertise for use in the preparation of the EIR.

(2) Data Sources.

Identify published data used in the preparation of the EIR.

(3) Technical Studies and Reports.

Technical studies and reports on the proposed project which are used in the preparation of the EIR may be attached to the EIR as Appendices, or may be referenced as to their location and availability for review.

(4) Initial Study.

Attach a copy of the Initial Study together with the Initial Study checklist and the worksheets used to quantify and qualify possible environmental concerns.

* A number of statutes provide that certain professional services can be provided to the public only by individuals who have been registered by a registration board established under California law. Such statutory restrictions apply to a number of professions including but not limited to engineering, land surveying, forestry, geology and geophysics. In its intended usage, an EIR is not a technical document that can be prepared only by a registered professional. The EIR serves as a public disclosure document explaining the effects of the proposed project on the environment, alternatives to the project and ways to minimize adverse effects and to increase beneficial effects. As a result of information in the EIR, the Lead Agency should establish requirements or conditions on project design, construction, or operation in order to protect or enhance the environment. State statutes may provide that only registered professionals can prepare technical studies which will be used in or which will control the detailed design, construction, or operation of the proposed project and which will be prepared in support of an EIR. (State EIR Guidelines, Section 15075.)

(5) Organizations and Persons Consulted.

Identify all federal, state and local agencies, other organizations, and private individuals consulted during the preparation of the draft EIR, together with the nature of their comments.

d. Early Consultation.

Within 15 calendar days after deciding that an EIR is required for a project, the Lead City Agency shall initiate consultation with the following persons for purposes of obtaining information regarding the scope and content of the environmental information to be included in the EIR:

(1) Responsible Agencies.

(a) The Lead City Agency shall send to each Responsible Agency by certified mail a Notice of Preparation* stating that an EIR will be prepared. The Notice shall provide the Responsible Agencies with sufficient information describing the project and its environmental effects to enable the Responsible Agencies to make a meaningful response.** At a minimum, the information shall include:

- (i) Description of the project.
- (ii) Location of the project.
- (iii) Probable environmental effects of the project.

(b) The Lead City Agency may begin work on the draft EIR without waiting for responses to the Notice of Preparation.

* The form that may be utilized for the Notice of Preparation is attached as Appendix K.

** State EIR Guideline Section 15085.5 (b)(2) requires a Responsible Agency to respond to a Notice of Preparation within 45 days of its receipt and that the response specify the scope and content of the environmental information which would be germane to the Responsible Agency's statutory responsibilities in connection with the proposed project.

- (c) The draft EIR in preparation shall be revised or expanded as necessary to conform to responses to the Notice of Preparation.
 - (d) In order to expedite the consultation, the Lead City Agency, a Responsible Agency, or a project applicant may request one or more meetings between representatives of the agencies involved to assist the Lead City Agency in determining the scope and content of the environmental information which the Responsible Agency may require. Such meetings shall be convened by the Lead City Agency as soon as possible, but no later than 30 days after the meetings were requested.
 - (e) When one or more state agencies will be a Responsible Agency, the Lead City Agency shall send a Notice of Preparation by certified mail to each state Responsible Agency with a copy to the State Clearinghouse in the Office of Planning and Research. The State Clearinghouse will ensure that the state Responsible Agencies reply to the Lead City Agency within the required time.
- (2) Persons or Organizations Concerned with the Environmental Effects of the Project.
- (a) The Lead City Agency shall consult directly with any person or organization it believes will be concerned with the environmental effects of the project.
 - (b) This consultation requirement may be satisfied either by forwarding a copy of a Notice of Preparation or the Initial study to the person or organization. If neither document is used, information sufficient to meet the minimum requirements of the Notice of Preparation shall be provided.
 - (c) Persons or organizations that will be considered concerned will generally include the following:
 - (i) Homeowners' associations located in the area where the major impacts of the project are likely to occur.
 - (ii) Persons or organizations that have substantially commented on an EIR

previously circulated for a similar project in the same area.

- (iii) Volunteer citizen organizations which are known to the Lead City Agency as having an interest in the environmental effects of the type of project involved or in the area where the project will be located.

(3) Federal Agencies.

The Lead City Agency shall send a Notice of Preparation by certified mail to any federal agency that will be involved in approving or funding the project.

e. Use of Environmental Information Submitted by a Project Applicant.

Information submitted in the form of a draft EIR by a project applicant must be subjected to independent evaluation and analysis by the Lead City Agency, and must represent the independent judgment of the Lead City Agency prior to circulation of the draft EIR for public review. An applicant shall be required to list any other public agencies having approval power over the project at the time it submits the data and information. The Lead City Agency must ensure that Participating City Agencies and public agencies having approval power over the project are given an opportunity to have input in the draft EIR prior to circulation for public review.

f. Summary and Table of Contents or Index.

Each draft EIR shall contain a brief summary of the proposed action and its consequences in language sufficiently simple that the issues can be understood by the average member of the lay public. The EIR shall also contain a table of contents or an index.

g. Effects Found Not to be Significant.

An EIR shall contain a statement briefly indicating the reasons that various possibly significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.

h. Guidelines for Drafting the EIR.

- (1) The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analyses and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be available for public examination and shall be submitted to all clearinghouses which assist in public review.
- (2) The EIR should be prepared using a systematic, interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be designated or required to undertake this evaluation. Preparation of EIRs is dependent upon information from many sources, including the engineering project report and many scientific documents relating to environmental features. The EIR shall reference all documents used in its preparation including, where possible, a citation to the page and section number of any technical reports which were used as the basis for any statements in the EIR.
- (3) The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the Lead City Agency subsequently receives information inconsistent with the finding in the Initial Study. A copy of the Initial Study shall be attached to the EIR to provide the basis for limiting the impacts discussed.
- (4) An EIR shall contain a statement briefly indicating the reasons for determining that various effects of a project that could possibly be considered significant were not found to be significant and consequently were not discussed in detail in the EIR.
- (5) Drafting an EIR necessarily involves some degree of forecasting. While foreseeing the

unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.

- (6) If, after thorough investigation, a Lead City Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.
- (7) An EIR may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR. Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIR shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in an office of the Lead City Agency in the county where the project would be carried out or in one or more public buildings, such as county offices or public libraries, if the Lead City Agency does not have an office in the county. Where an EIR uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described.
- (8) An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

i. EIR As Part of General Plan.

- (1) The requirements for an EIR on a local general plan, element or amendment thereof will be satisfied by the general plan or element document, and no separate EIR will be required if:
 - (a) The general plan addresses all the points required to be in an EIR by Article VI of these Guidelines; and
 - (b) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.
- (2) The Lead City Agency for the general plan, element, or amendment shall forward the appropriate documents to the State Clearinghouse for State review.

3. Notice of Completion.

a. State Notice.

As soon as the draft EIR is completed, a Notice of Completion must be filed with the Secretary for Resources. The notice shall include a concise description of the project and its location, an address where copies of the draft EIR are available, and the period during which comments will be accepted. A form for this notice is attached as Appendix E. Where the EIR will be reviewed through the State Clearinghouse process, the cover form required by the State Clearinghouse will serve as the Notice of Completion, and no Notice of Completion need be sent to the Resources Agency.

b. Local Notice.

Local Notice of the availability of a draft EIR for public review and comment shall be provided within 7 days after the filing of the draft EIR with the City Clerk. The Lead City Agency shall submit sufficient information to the City Clerk to enable the general public to ascertain the nature, scope and location of the proposed project and how a copy of the draft EIR can be obtained for review. The City Clerk shall ensure that such information is published at least once in a newspaper of general circulation in the area affected by the proposed project. Notice shall also be given to all organizations and individuals who have

previously requested such notice for the subject project.

c. Additional Notice.

The alternatives for providing notice specified in Subsection b shall not preclude a Lead City Agency from providing additional notice by other means if so desired, nor shall this section preclude a Lead City Agency from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project. Such additional notice may include the following:

- (1) Posting of notice on and off site in the area where the project is to be located.
- (2) Direct mailing to owners of property contiguous to the project.

4. Public Review.

a. Agencies That Shall be Consulted.

After completing a draft EIR, the Lead City Agency shall consult with the following:

- (1) Any Responsible Agency;
- (2) Any public agency exercising authority over resources which may be affected by the project; and
- (3) Any city or county which is the site of the project or is in the area in which the major environmental effects of the project will occur.*

b. Persons That Should be Consulted.

The Lead City Agency should consult with persons having special expertise with respect to any environmental impact involved.

* The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

c. Review by the General Public.

Opportunity for comments from the public shall be provided. Lead City Agencies should ensure that sufficient copies of draft EIRs are made available for adequate public review. Draft EIRs should be made available to the public by filing copies with the local public library branch serving the area where the project will be located.

d. Commencement of the Public Review Period.

The public review period shall commence on the date notice of the availability of the draft EIR for public review is published as required by Subsection b of Section 3 of this Article.

e. Review Periods.

The Lead City Agency must provide adequate time for other public agencies and members of the public to review and comment on the EIR. Accordingly, review periods for draft EIRs shall not be less than 30 nor more than 90 days, unless the nature of the project justifies a longer review period. The length of a review period shall be commensurate with the size and complexity of the project and the EIR. Reasonable requests for extensions of time should be granted where such extensions would not conflict with time constraints established by State law, the City Charter, City ordinances, or other compelling considerations. The review period for draft EIR's for which a State Agency is a Responsible Agency shall be at least 45 days unless a shorter period is approved by the State Clearinghouse.

f. Failure to Comment.

If any public agency or person who is consulted regarding a draft EIR fails to comment within the prescribed review period, it may be assumed, absent a request for an extension of time, that such agency or person has no comment to make.

5. Review by State Agencies.

a. Environmental Documents That Must be Submitted to State Clearinghouse.

The following environmental documents shall be submitted to the State Clearinghouse, 1400 Tenth

Street, Sacramento, California 95814, for review by State agencies:

- (1) Draft EIRs and Negative Declarations where a State agency is a Responsible Agency or exercises authority over resources which may be affected by the proposed project.
- (2) Draft EISS and Negative Declarations prepared pursuant to NEPA and the Federal Guidelines (Title 40 CFR, Part 1500, commencing with Section 1500.0) and Parts I and II of Office of Management and Budget Circular A-95.

b. Review Period.

When an EIR is submitted to the State Clearinghouse, the review period set by the Lead City Agency shall be at least as long as the period provided in the State review system operated by the State Clearinghouse. In exceptional circumstances, the State Clearinghouse may set shorter review periods when requested by the Lead City Agency.

c. State Agency with Special Expertise.

Lead City Agencies may send draft EIRs and proposed Negative Declarations to the State Clearinghouse for review where a State agency has special expertise with regard to the environmental impacts involved.

5.5 Projects of Statewide, Regional or Areawide Significance.

- a. Projects meeting the criteria in this Section shall be deemed to be of statewide, regional or areawide significance. EIRs or Negative Declarations prepared by any Lead City Agency on a project described in this Section shall be submitted to the State Clearinghouse and the Southern California Association of Governments for review and comment.
- b. The Lead City Agency shall determine that a proposed project is of statewide, regional or areawide significance if the project meets any of the following criteria:
 - (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.
 - (2) A project which would interfere with the attainment or maintenance of state or national air quality standards, including the following:

- (a) A proposed residential development of more than 500 dwelling units.
 - (b) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
 - (c) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
 - (d) A proposed hotel/motel development of more than 500 rooms.
 - (e) A proposed industrial manufacturing or processing plant or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land or encompassing more than 650,000 square feet of floor area.
- (3) A project which would result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.
- (4) A project located in and substantially impacting an area of critical environmental sensitivity for which an EIR was prepared, including the following:
- (a) The Lake Tahoe Basin.
 - (b) The Santa Monica Mountains Zone as defined by Section 67463 of the Government Code.
 - (c) The California Coastal Zone, as defined in and mapped pursuant to Section 30103 of the Public Resources Code.
 - (d) An area within 1/4 mile of a wild and scenic river, as defined by Section 5093.5 of the Public Resources Code.
 - (e) The Sacramento-San Joaquin Delta, as defined in Section 12220 of the Water Code.
 - (f) The Suisun Marsh, as defined in Section 29101 of the Public Resources Code.

- (g) The jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined by Section 66610 of the Government Code.
- (5) A project which would substantially affect sensitive wildlife habitats, including, but not limited to, riparian lands, wetlands, bays, estuaries, marshes and habitats for rare and endangered species, as defined by Section 903 of the Fish and Game Code.
- (6) A project which would interfere with attainment of regional water quality standards, as stated in the approved areawide waste water management plan.

6. Public Hearings.

a. When necessary.

A public hearing on the environmental impact of a project should be held when the Lead Agency determines that it would facilitate the purposes and goals of CEQA and these Guidelines. In deciding whether a public hearing is appropriate, the Lead City Agency shall consider the following:

- (1) The magnitude of the proposed project in terms of economic costs, the geographic area involved, and the nature and extent of the commitment of resources involved;
- (2) The degree of interest in the proposed project, as evidenced by requests from the public and from federal, State and local authorities that a hearing be held;
- (3) The complexity of the environmental issues and the likelihood that information will be presented at the hearing which will be of assistance to the Lead City Agency in fulfilling its responsibilities under CEQA; and
- (4) The extent to which public involvement already has been achieved through other means, such as previous public hearings, meetings with citizen representatives, and written comments on the proposed action.

b. Who May Conduct the Hearing.

The Lead City Agency may conduct the public hearing itself or may request that the hearing be conducted by the Office of Environmental Quality. If the Office of Environmental Quality conducts the hearing, it shall provide the Lead City Agency with a summary of the significant comments made by persons testifying at the hearings.

c. Utilization of Hearings Otherwise Required.

Where appropriate, the Lead City Agency should utilize public hearings otherwise required by law for the additional purpose of obtaining public input on the environmental impacts of the proposed project.

7. The Final EIR.

a. Contents of the Final EIR.

The final EIR shall be prepared by the Lead City Agency and shall consist of the following:

- (1) The draft EIR;
- (2) A list of persons, organizations and public agencies commenting on the draft EIR;
- (3) The comments and suggestions received on the draft EIR, verbatim or in summary;
- (4) The responses of the Lead City Agency to significant environmental points raised in the review and consultation process;
- (5) A brief summary of the significant information contained in the EIR; and
- (6) A certification prepared by the Lead City Agency pursuant to subsection d of this section.

b. Evaluation and Response to Comments.

- (1) The Lead City Agency shall evaluate comments received during the review period, including comments received at any public hearing.
- (2) The response of the Lead City Agency to comments received may take the form of a revision or an attachment to the draft EIR. If the draft EIR is

revised, a notation shall be made after the comment indicating the location of the revisions.

- (3) When specific suggestions involving significant environmental issues are made in the comments and are not accepted by the Lead City Agency, such suggestions must be addressed and reasons set forth for not accepting them. If the suggestions relate to recommendations of disapproval of the project because of adverse environmental consequences or to the recommendation that mitigation measures be imposed or alternatives adopted, the Lead City Agency shall recommend to the Decision-Making Body that the suggestions be accepted or rejected, setting forth the reasons for the recommendation.

c. Contents of the Summary.

The summary should contain concise statements of the environmental concerns discussed in the EIR.

d. Certification of EIR by Lead City Agency.

A final EIR presented to the Decision-Making Body of a Lead City Agency shall be accompanied by a statement signed by an appropriate officer of the department, bureau, division, section, office or agency that prepared the EIR, stating that the EIR was completed in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines.

e. Review of the Final EIR.

Upon certification of the final EIR pursuant to Subsection d of this Section, a copy shall be forwarded to the City Clerk. A notice shall be sent to each person or organization that commented in writing on the draft EIR stating that a final EIR has been prepared and where a copy may be examined or obtained. The notice shall contain the date the project is scheduled to be considered by the Decision-Making Body, if such date is known at the time the notice is sent.

8. Staff Recommendations.

a. Recommendations Required.

Where the Lead City Agency is not the project sponsor, it shall make recommendations to the Decision-Making Body regarding the following:

- (1) Whether feasible mitigation measures are available which need to be made conditions of the project. For each mitigation measure, indicate whether it can be routinely imposed as a condition of approval; and, if so, set forth the procedure by which it can be enforced. If the mitigation measure cannot be imposed pursuant to existing City procedures, describe the means by which the measure could be imposed and enforced.
- (2) Whether reasonable and available alternatives to the project that would significantly reduce the impact on the environment should be approved;
- (3) Whether the project should be approved.

b. Reasons for Recommendation of Approval.

Where the Lead City Agency recommends approval of a project that has substantial adverse impacts on the environment, is not the best feasible alternative, or does not use feasible measures to reduce the environmental impact, the Lead City Agency shall set forth the reasons why it believes the project warrants approval as proposed.

9. Consideration of the Proposed Final EIR by the Decision-Making Body.

a. Submittal of EIR to Decision-Making Body.

A copy of the proposed final EIR shall be forwarded to each member of the Decision-Making Body or the Lead City Agency no less than two days prior to consideration of the project by the Decision-Making Body.

b. Consideration of EIR.

The Decision-Making Body shall review and consider the contents of the final EIR in connection with the determination of whether or not to approve the project.

c. Certification of EIR.

If the Decision-Making Body is satisfied that the proposed final EIR adequately discusses all significant environmental issues, it shall certify that the proposed final EIR has been prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the contents of the final EIR in its

decision-making process. Such certification shall be done prior to or concurrent with the decision on the project.

d. Return of Inadequate EIR to Lead City Agency.

If the Decision-Making Body finds that the information contained in the proposed final EIR is not adequate, the EIR shall be returned to the Lead City Agency for further evaluation. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.

e. Supplementing and Recirculating an Inadequate EIR.

The EIR shall be supplemented and recirculated for public review if the Decision-Making Body finds any of the following:

- (1) The Lead City Agency did not adequately discuss substantial adverse environmental impacts or feasible alternatives in the draft EIR previously circulated for public review;
- (2) The information contained in the draft EIR previously circulated for public review was so inaccurate, incomplete, biased or misleading so as to have prevented meaningful public review;
- (3) The draft EIR previously circulated for public review did not reflect the independent judgment of the Lead City Agency; or
- (4) The project has been substantially modified or its location significantly altered so as to cause significant adverse environmental impacts not discussed in the draft EIR previously circulated for public review.

In recirculating a supplemented EIR, the Lead City Agency shall comply with the provisions of Sections 3 through 8 of this article.

f. Decision-Making Body Responsible for Conclusions.

If the Decision-Making Body disagrees with the conclusions set forth in the EIR regarding the significance of environmental impacts or feasibility of mitigation measures and alternatives, the Decision-Making Body shall correct them and set forth its reasons for the correction.

g. Mitigation or Avoidance Mandatory Where Feasible.

Each Decision-Making Body shall mitigate or avoid the significant effects on the environment of projects it approves or carries out whenever it is feasible to do so.

h. Duty to Mitigate or Avoid Where City of Los Angeles is a Responsible Agency.

When the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall have responsibility for mitigating or avoiding only those significant effects of the proposed project ensuing from that portion of the project to be carried out or approved by the City of Los Angeles.

i. Proprietary Department Project Needing City Council Approval.

Where a proprietary department is the Lead City Agency for a project requiring the preparation of an EIR and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are Decision-Making Bodies and both shall comply with this section and Section 10 of this article in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

j. Approval of an Alternative to the Proposed Project.

An alternative to the proposed project may be approved by the Decision-Making Body, provided it otherwise has the authority to do so, without further supplement to or review of the EIR providing that:

- (1) The EIR contains a full discussion of the environmental consequences of the alternative; or
- (2) The alternative has the same basic environmental impacts as the proposed project but such impacts are of lesser magnitude.

9.5. Findings.

a. Duty to Mitigate or Avoid Significant Environmental Effects.

No Decision-Making Body of the City of Los Angeles shall approve or determine to carry out a project for

which an Environmental Impact Report has been completed which identifies one or more significant effects of the project unless the Decision-Making Body makes one or more of the following written findings for each of those significant effects, accompanied by a statement of the facts supporting each finding.

- (1) Changes or alterations have been required, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Los Angeles and such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

b. Findings to be Supported by Substantial Evidence.

The findings required by Subsection a shall be supported by substantial evidence in the record.

c. Concurrent Jurisdiction with Another Agency.

The finding in Subdivision (2) of Subsection a shall not be made if the Decision-Making Body making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

10. Statement of Overriding Considerations.a. When Required.*

A Statement of Overriding Considerations shall be adopted by a Decision-Making Body at the time of approval of a project if it finds:

- (1) Substantial adverse environmental impacts have been identified in the EIR which cannot be mitigated to an acceptable level; or
- (2) The Decision-Making Body decides to override recommendations of the Lead City Agency that:
 - (a) The project be disapproved;
 - (b) Additional mitigation measures be imposed; or
 - (c) An alternative to the project as proposed be approved.

b. Contents.

The Statement of Overriding Considerations shall set forth the following:

- (1) Substantial adverse environmental impacts that cannot be mitigated or avoided;
- (2) Recommendations, if any, by the Lead City Agency that the project not be approved as proposed; and
- (3) The reasons why, in the opinion of the Decision-Making Body, the project warrants approval despite such consequences or recommendations.

* A Statement of Overriding Considerations is "permissive" pursuant to Section 15088 of the State EIR Guidelines. However, subsequent to the promulgation by the Secretary for Resources of Section 15088, the Court of Appeal held that the failure to set forth the overriding economic or social values of a project was grounds for setting aside the approval of a project where there were adverse environmental effects and recommendations that the project as proposed be disapproved. Burger v. County of Mendocino, 45 C.A.3d 322 (1975).

c. Preparation.

Statements of Overriding Considerations shall be prepared by the Lead City Agency as follows:

- (1) If the Lead City Agency is recommending approval of a project requiring a Statement of Overriding Considerations, the Lead City Agency shall prepare the Statement and present it to the Decision-Making Body for its consideration at the time the project is before it for decision. If the Decision-Making Body approves the project, it may adopt the Statement as prepared or modify it prior to adoption.
- (2) If the Lead City Agency is recommending that the project be disapproved or modified before approval and the project is approved as proposed, the Decision-Making Body shall indicate its reasons for overriding the recommendations and the Lead City Agency shall forthwith prepare the Statement and submit it to the Decision-Making Body for its approval.

d. Finding re Benefits of Project.

The Statement of Overriding Considerations must contain a finding that the social, economic, or other environmental benefits of the project as approved outweigh its environmental costs, and such finding must be supported by substantial evidence in the record.

e. Inclusion in Record of Project Approval.

If a Statement of Overriding Consideration is adopted, it shall be included in the record of project approval.

11. Notice of Determination.*

a. Content of the Notice of Determination.

After approving a project for which an EIR was prepared, the Lead City Agency shall file a Notice of Determination. The Notice shall include:

* The form to be used for the Notice of Determination is attached to these Guidelines as Appendix D.

- (1) An identification of the project by its common name where possible;
- (2) The decision of the Decision-Making Body to approve or carry out the project;
- (3) The determination of the Decision-Making Body whether the project in its approved form will have a significant effect on the environment;
- (4) A brief statement of the mitigation measures which were adopted to reduce the impacts of the approved project; and
- (5) A statement that an EIR was prepared pursuant to the provisions of CEQA and was certified as required by Section 9 of this Article.

b. Filing of the Notice.

The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the City Clerk.*

c. State Agency is Responsible Agency.

If the project requires the discretionary approval of a State agency, a copy of the Notice of Determination shall be sent to the Secretary for Resources.

d. City Council is Decision-Making Body.

In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing after a decision on the project. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

* Any action or proceeding alleging that an environmental impact report does not comply with the provisions of CEQA shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk. Public Resources Code, Section 21167(c).

ARTICLE VII. CATEGORICAL EXEMPTIONS

1. Classes of Categorical Exemptions.

The Secretary for Resources has provided a list of classes of projects which he has determined do not have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The following specific categorical exemptions within such classes are set forth for use by Lead City Agencies, provided such categorical exemptions are not used for projects where it can be readily perceived that such projects may have a significant effect on the environment:

a. Class 1. Existing Facilities.

Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

- (1) Interior or exterior alterations involving remodeling or minor construction where there will be negligible or no expansion of use.
- (2) Operation, repair, maintenance or minor alteration of existing facilities of both investor and publicly owned utilities, electrical power, natural gas, sewage, water, and telephone, and mechanical systems serving existing facilities, including alterations to accommodate a specific use.
- (3) Operation, repair, maintenance or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, storage areas, parking lots, aircraft parking areas, wharves, railroads, runways, taxiways, navigable waterways, bridle trails, service roads, fire lanes and golf-cart paths, except where the activity will involve removal of a scenic resource including but not limited to a stand of trees, a rock outcropping or an historic building.
- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment and systems to meet current standards of public health, safety and environmental protection.

- (5) Additions to existing structures provided that the addition will not result in an increase of more than fifty percent (50%) of the floor area of the structure before the addition, or 2,500 square feet, whichever is less.
- (6) Addition of safety, security, health or environmental protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features (including navigational devices).
- (7) New copy on existing on and off-premise signs.
- (8) Maintenance of existing landscaping, native growth, water supply reservoirs; and brush clearance for weed abatement and fire protection (excluding the use of economic poisons as defined in Division 7, Chapter 2, California Agricultural Code).
- (9) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources, lakes and reservoirs.
- (10) Division of existing multiple family rental units into condominiums.*
- (11) Demolition and removal of individual small structures listed in this subdivision except where the structures are of historical, archaeological or architectural significance:
 - (a) Single-family residences not in conjunction with the demolition of two or more units;
 - (b) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the demolition of two or more such structures;

* A multiple family rental unit is "existing" when the Department of Building and Safety has issued a certificate of occupancy.

- (c) Stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the demolition of two or more such structures.
 - (d) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.
- (12) Outdoor lighting for security and operations.
 - (13) Interior or internal modifications to established and discrete areas which are fully developed within the larger environment of parks or recreation centers, where such interior or internal modification is essentially a rearrangement (rather than an additive function) such as might occur at a zoo, outdoor museum, sports facility, arboretum, formal garden or similar display area.
 - (14) Issuance, renewal or amendment of any lease, license or permit to use an existing structure or facility involving negligible or no expansion of use.
 - (15) Installation of traffic signs, signals and pavement markings, including traffic channelization using paint and raised pavement markers.
 - (16) Installation of parking meters.
 - (17) Operation, repair, maintenance or minor alteration of surface pipelines serving industrial or commercial facilities and all subsurface pipelines.
 - (18) Issuance of permits, leases, agreements, berth and space assignments, and renewals, amendments or extensions thereof, or other entitlements granting use of the following existing facilities and land and water areas involving negligible or no expansion of use and/or alteration or modification of the facilities or its operations beyond that previously existing or permitted:
 - (a) Municipal Warehouses and Transit Sheds.
 - (b) Municipal Wharves.
 - (c) Municipal Airports.

- (d) Storage areas for import-export commodities.
 - (e) Office space.
 - (f) Surface or subsurface pipelines serving industrial or commercial facilities in the Harbor District.
 - (g) Municipal Utility Rights-of-Way.
- (19) The granting of variances by the Board of Police Commissioners from the requirements of Section 41.40 of the L.A.M.C., where the activity permitted will be completed within 30 days after the variance is granted.
 - (20) Modernization of an existing highway, street or alley by resurfacing, reconstruction, eliminating jut-outs, widening less than a single lane width, adding shoulders or parking lanes, adding auxiliary lanes for localized purposes (turning, passing, and speed change), and correcting substandard curves and intersections. This exemption shall not be used where extensive tree removal will be involved.
 - (21) Modifications to existing storm drain systems for collection of local water at alternate points within an existing local drainage area unless impact on a park is anticipated.
 - (22) Granting or renewal of a variance or conditional use for a nonsignificant change of use in an existing building.
 - (23) Granting of a variance to permit continued operation of a non-conforming essential service or retail convenience after the mandated Zoning Code removal date.
 - (24) Relocation of an existing use within a publicly owned building.
 - (25) Installation of fire hydrants on existing water mains.
 - (26) Construction of erosion control facilities.
 - (27) Zoning Administrator approval of foster care and day care homes pursuant to L.A.M.C. Section 12.27 E.

- (28) Zoning Administrator approval to use existing dwelling units as model homes.
- (29) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.
- (30) Actions of the Board of Building and Safety Commissioners on Appeals of Determinations of the Superintendent of Building, except actions of the Commission taken pursuant to L.A.M.C. Sections 91.3002(f)-4-e.
- (31) Establishment or modification of any rate, fee or charge for the use of existing municipal airport facilities and services involving negligible or no expansion of use.
- (32) Installation, maintenance or modification of mechanical equipment and public convenience devices and facilities which are accessory to the use of existing structures or facilities and involve negligible or no expansion of use.
- (33) The issuance, modification or relocation of police permits for antique shops, auto parks, auto rental, bath and massage, card club, card school, dancing academy, dance (public one night), escort bureau, figure studios, game arcade, games of skill and science, identification card, jewelry auction, locksmith, messenger service, nudist colony, pawnbroker, pool table (single), pool tables, poolroom, billiard room, family billiard room, private patrol, rides/merry-go-round, rummage sale, sales (closing out and removal), secondhand (auto parts, books, jewelry and general), seller of concealable firearms, shooting gallery, towing operation, social clubs, and proprietor or subscriber alarm system.
- (34) Federally funded programs for revitalization of deteriorating urban areas for purposes of correcting building code violations and making other improvements to existing dwelling units, including coordinating those public improvements necessary to improve public facilities in connection with such revitalization. This exemption does not include the construction of new public facilities.
- (35) Minor extensions of, and connections between, existing taxiways which permit alternative

aircraft ground maneuvering operations and involve negligible or no expansion of use.

b. Class 2. Replacement or Reconstruction.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced:

- (1) Replacement or reconstruction of existing schools, hospitals, recreation buildings and libraries to provide earthquake resistant structures which do not increase capacity more than fifty percent (50%).
- (2) Replacement of a commercial or industrial structure with a new structure of substantially the same size and purpose.
- (3) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of use.
- (4) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines.
- (5) Replacement or reconstruction of surface or subsurface pipelines involving negligible or no expansion of use beyond that previously existing.
- (6) Replacement or reconstruction of existing heating and air-conditioning systems.

c. Class 3. New Construction of Small Structures.*

Class 3 consists of construction and location of single, new, small facilities or structures and installation of small new equipment and facilities:

- (1) Single family residences not in conjunction with the building of two or more units.
- (2) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures.
- (3) Stores, offices, and restaurants, either temporary or permanent, designed for an occupant load of twenty (20) persons or less, if not in conjunction with the building of two or more structures.
- (4) Installation of new equipment and/or industrial facilities involving negligible or no expansion of use if required for safety, health, the public convenience, or environmental control.
- (5) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve already approved construction.
- (6) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, fences, game courts (including tennis courts accessory to residential developments), play areas and retaining walls.
- (7) Installation of scientific measuring, monitoring and testing devices.
- (8) Additions to underground electric and water utility distribution system facilities such as cables, conduits, pipelines, manholes, vaults and appurtenances, including connections to existing overhead electrical utility distribution lines.
- (9) Installation of surface and subsurface pipelines and equipment in industrial facilities involving negligible or no expansion of use beyond that previously existing.

* See "Exception by Location," Section 4a of this Article.

- (10) Street lighting projects, with the exception of those systems where illumination levels would materially exceed minimum levels of illumination recommended in the current edition of the "American National Standard Practice for Roadway Lighting" as approved by the American National Standards Institute.
- (11) Sewers constructed to alleviate a high potential or existing public health hazard. Such sewers shall be of a size and capacity to serve only the area in need.
- (12) Storm drains constructed to collect low flow or alleviate other local drainage problems unless impact on a park is anticipated.
- (13) Offsite sewers as described in Section 64.11.2 of the L.A.M.C., of no greater diameter than 10 inches, that will serve an area local in nature.
- (14) Authorizations by the Department of Public Utilities and Transportation for the installation, relocation and/or replacement of police and fire boxes, and poles, guys and antennas external to existing buildings.
- (15) Recommendations by the Department of Public Utilities and Transportation for improved crossing protection.
- (16) Issuance by the Department of Public Utilities and Transportation of permits for ambulance driver or attendant, auto-for-hire, public service vehicle, motor bus, non-ambulatory passenger vehicle, or school bus.
- (17) Projects involving less than 35 dwelling units or 15,000 square feet of commercial, industrial, governmental or institutional floor space where, as determined by the appropriate City department, the project is not in a designated hillside ("H") area or in an officially mapped area of severe geologic hazard, conforms with or is less intensive than the adopted plan, is a fill-in rather than an initial intrusion into an established pattern of development, is not in an officially designated Paleontological, Historical, Archaeological or Seismic Study Area, and, if residential, is more than 1,000 feet from a freeway, railway, or airport, except where the mitigation of potentially significant noise and air quality impacts to an insignificant level is

ensured. If any grading will be required in connection with such projects, this Categorical Exemption shall not apply unless the grading is also exempted by Subsection d of Section 1 of this Article.

d. Class 4. Minor Alterations to Land.*

Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes:

- (1) Grading on land with a slope of less than ten percent (10%), except where it is to be located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area or in officially mapped areas of severe geologic hazard.
- (2) Grading on land with a slope of ten percent (10%) or more in connection with the construction of one single-family residence and accessory uses, or, if more than one single-family residence will be constructed on the land covered by the grading permit, grading involving 20,000 cubic yards or less. This exemption will not apply if the project is located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area, in officially mapped areas of severe geologic hazard, or contains scenic trees.
- (3) New gardening, tree planting, or landscaping, but not including tree removal except dead, damaged or diseased trees or limbs.
- (4) Filling of earth into previously excavated land, and maintenance and preservation of land elevation in areas of land settlement and subsidence with material compatible with the natural features of the site.
- (5) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production.

* See "Exception by Location," Section 4a of this Article.

- (6) Temporary uses of land having no permanent effects on the environment, including but not limited to carnivals, parades, temporary locational filming, sales of Christmas trees, building materials storage on street or sidewalk during job, construction offices and tract sales offices.
- (7) The issuance, renewal or amendment of any lease, license or permit to use land involving minor alterations to the condition of the land.
- (8) The renewal or amendment of any lease which allows for a minor increase in leased acreage.
- (9) Watercourse permits.
- (10) Grading and/or paving of alleys.
- (11) Zoning Administrator approval to erect and maintain temporary subdivision directional signs.
- (12) Minor trenching and backfilling where the surface is restored.
- (13) The creation of bicycle lanes on existing rights-of-way.
- (14) Relocation of residential structures located on lands acquired for a public use to a new site.
- (15) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable State and federal regulatory agencies.
- (16) Corrective grading to repair slope failures and for restoration of previously graded areas to their original configurations.

e. Class 5. Alterations in Land Use Limitations.*

Class 5 consists of minor alterations in land use limitations, except zoning.

- (1) Minor lot line adjustments, side yard and setback variances not resulting in the creation of any new parcel nor in any change in land use or density.
- (2) Issuance of minor encroachment permits.
- (3) Minor street, alley and utility easement vacations where the vacated property does not constitute a buildable site that would allow a commercial or industrial development of more than 10,000 square feet or a residential development of more than 25 units.
- (4) Conveyances of minor miscellaneous easements, including street, alley or walkway easements.
- (5) Acquisition of public street easements and the construction of street improvements required pursuant to Section 12.37 of the L.A.M.C. including minor modifications and minor waivers of requirements.
- (6) Minor modifications of the conditions of previously approved tentative tract maps involving improved design features when no increase in the number of lots or parcels is proposed.
- (7) Changes in Council instructions related to a change of zone or height district.
- (8) Extensions of time to utilize "Q" provisions imposed upon changes of zone or height district, to utilize a variance or conditional use grant, or to record a final tract.

* See "Exception by Location," Section 4a of this Article.

- (9) Interpretations and minor adjustments to the boundaries of zones or height districts limited by the existing provisions of Section 12.30 of the L.A.M.C.
- (10) Minor area variances, building location and configuration variances, yard variances, or slight modifications which do not result in any change in land use or additional dwelling units.
- (11) Appeals from Department of Building and Safety Orders and Zoning Administrator Interpretations which do not result in any change in land use or additional dwelling units.
- (12) Zone changes that reduce the maximum intensity of use of the land.
- (13) Zone changes or variances that merely conform zoning to an existing use where the existing use was legally commenced.
- (14) Zone changes from residential to P-1 in connection with an already developed commercial or industrial use.
- (15) Acceptance of future streets to provide windows for sewer house connections.
- (16) Removal of minor vehicular access restrictions.
- (17) Dedication of easements for streets, alleys and walkways over City-owned property already improved as streets, alleys or walkways.
- (18) Conveyance of easements between public agencies for streets, alleys or walkways over properties already improved as streets, alleys or walkways.
- (19) Acquisition of easements for drainage and sanitary sewers for the conveyance of local drainage and sewage flow into existing outlet facilities.
- (20) Acquisition of easements for future streets, alleys and walkways.
- (21) Acceptance of future streets, alleys and walkways which are already improved as streets, alleys and walkways, as public streets, alleys and walkways.
- (22) Release of agreements on property involving lot ties, public easements dedications, and submittals of plans.

- (23) Granting or renewal of a variance or conditional use for a non-significant change of use of land.
- (24) (Deleted.)
- (25) Establishment, change or removal of building lines.
- (26) Consolidation of contiguous properties into a lesser number of parcels which may involve the vacation of unimproved paper streets or alleys.
- (27) Termination of City Council approved zone changes or height district files if not implemented after three (3) years, including "T" removals and seven (7) step subdivisions subject to a withholding ordinance for dedication and improvements, if in conflict with the most recent City Council adopted community plan.
- (28) Acquisition of land for the purpose of acquiring fee title underlying an existing easement.
- (29) Acquisition of tax delinquent property where no use other than the existing use is contemplated.
- (30) Granting easements to other local agencies, utilities or private persons to accomplish activities that are categorically exempted by these Guidelines.
- (31) Transfer of jurisdiction of a portion of the Los Angeles City Street System to the County of Los Angeles to allow the County to improve the street.
- (32) Reduction of a conditional use site pursuant to Section 12.24 G. 2. of the L.A.M.C.
- (33) Zone variances to convert guest rooms into apartments.

- (34) Granting a conditional use for the on-site consumption of alcoholic beverages pursuant to L.A.M.C. Sections 12.21 and 12.24, as amended by Ordinance No. 148,994 (effective March 1, 1977), provided that the premises where such alcoholic beverages will be dispensed and consumed do not exceed an occupant load of 200 persons, and provided that the premises will not also require an original dancehall, skating rink or bowling alley permit from the Los Angeles City Police Commission.
- (35) Granting of Zone Boundary Adjustments or Zone Changes incident to Subdivision pursuant to L.A.M.C. Section 12.32F.
- (36) Approval of Private Street Maps pursuant to Article 8, Chapter I of the L.A.M.C. to provide access to existing legal lots.
- (37) Approval of Reversion to Acreage Maps pursuant to L.A.M.C. Section 17.10.
- (38) Height District changes that reduce the intensity of development of land (L.A.M.C. Section 12.21.1).
- (39) Modification or removal of a "K" Horsekeeping Supplemental Use District (L.A.M.C. Section 13.05).
- (40) Acceptance of future streets and alleys dedicated pursuant to tract map procedures.

f. Class 6. Information Collection.*

Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

- (1) Permits for test holes in public areas which will be used for engineering evaluations for street, sewer, storm drain, buildings or utility installations.
- (2) Basic data collection, field testing, research, experimental management and resource activities of City departments, bureaus, divisions, sections, offices or officers which do not result in serious or major disturbance to an environmental resource.
- (3) Permits to drill test holes in navigable waters or submerged lands which will be used for chemical and biological engineering evaluations for marine facilities, and for chemical and biological analysis of sediments.

* See "Exception by Location," Section 4a of this Article.

- g. Class 7. Actions by Regulatory Agencies for Protection of Natural Resources.

Not applicable at the present time to the City of Los Angeles.

h. Class 8. Actions by Regulatory Agencies for Protection of the Environment.

Class 8 consists of actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

- (1) Industrial waste permits.
- (2) Design approvals by the Municipal Arts Commission pursuant to Charter Section 165 and Section 91.4509(a) of the L.A.M.C.
- (3) Renewals of permits by the Bureau of Street Maintenance for operation of existing sanitary landfills. (This exemption shall not be used where a new sanitary landfill site is to be established.)
- (4) Acquisition of lands for the purpose of preserving flood plains and/or open space where no increase in use is proposed.

i. Class 9. Inspections.

Class 9 consists of activities limited entirely to inspection, to check for performance of an operation, or the quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products:

- (1) Inspection of private refuse disposal sites.
- (2) Activities of City departments, bureaus, divisions, sections, offices or officers limited entirely to inspection, to check for performance of an operation, or the quality or safety of a project.

j. Class 10. Loans.

Not applicable at the present time to the City of Los Angeles.

k. Class 11. Accessory Structures.*

Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

- (1) On-premise signs.
- (2) Parking lots under 110 spaces where no decking or undergrounding is involved.
- (3) Game courts, play equipment, drinking fountains, restrooms, fences, walks, visual screens, or single tennis courts constructed in residential areas.
- (4) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks.
- (5) Signs located on City property managed by a City department which has a sign policy adopted by the City Council or, in the case of a proprietary department, by its Board of Commissioners.
- (6) Construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.
- (7) Construction or placement of buildings, or additions to buildings, involving the addition of less than 15,000 square feet, which additions are accessory to existing commercial, industrial or institutional facilities.

* See "Exception by Location," Section 4a of this Article.

1. Class 12. Surplus Government Property Sales.

Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report, prepared pursuant to Government Code Section 65041, et. seq. However, if the surplus property to be sold is located in those areas identified in the Governor's Environmental Goals and Policy Report, its sale is exempt if:

- (1) The property does not have significant values for wildlife habitat or other environmental purposes, and
- (2) Any of the following conditions exist:
 - (a) The property is of such size or shape that it is incapable of independent development or use, or
 - (b) The property to be sold would qualify for an exemption under any other class of categorical exemption in Article VII of these Guidelines, or
 - (c) The use of the property and adjacent property has not changed since the time of purchase by the public agency.

m. Class 13. Acquisition of Lands for Wildlife Conservation Purposes.

Not applicable at the present time to the City of Los Angeles.

n. Class 14. Minor Additions to Schools.

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

- (1) Minor additions to City operated training facilities within existing facility grounds where the addition does not increase original trainee capacity of the facility by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

o. Class 15. Functional Equivalent of an EIR.

Not applicable at the present time to the City of Los Angeles.

p. Class 16. Transfer of Ownership in Land in Order to Create Parks.

Class 16 consists of the acquisition or sale of land in order to establish a park where the land is in a natural condition or contains historic sites or archaeological sites and either:

- (1) The management plan for the park has not been prepared, or
- (2) The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological site. CEQA will apply when a management plan is proposed that will change the area from its natural condition or significantly change the historic or archaeological site.

q. Class 17. Open Space Contracts or Easements.

Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests of easements is not included.

r. Class 18. Designation of Wilderness Areas.

Class 18 consists of the designation of wilderness areas under the California Wilderness System.

s. Class 19. Annexations of Existing Facilities and Lots for Exempt Facilities.

Class 19 consists of only the following annexations:

- (1) Annexations to the City of Los Angeles of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- (2) Annexations of individual small parcels of the minimum size for facilities exempted by Subsection c of this Section, New Construction of Small Structures.

t. Class 20. Changes in Organization of Local Agencies.

Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

- (1) Establishment of a subsidiary district.
- (2) Consolidation of two or more districts having identical powers.
- (3) Merger with a city of a district lying entirely within the boundaries of the City.

u. Class 21. Enforcement Actions by Regulatory Agencies.

Class 21 consists of actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate or other entitlement for use which is issued, adopted or prescribed by the regulatory agency or a law, general rule, standard or objective which is administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:*

- (1) The direct referral of a violation of a lease, permit, license, certificate or other entitlement for use or of a general rule, standard or objective to the Attorney General, District Attorney or City Attorney, as appropriate, for judicial enforcement.
- (2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate or other entitlement for use or enforcing the general rule, standard or objective.

* Construction activities undertaken by the public agency taking the enforcement or revocation action are not included in this exemption.

v. Class 22. Educational or Training Programs Involving No Physical Changes.

Class 22 consists of the adoption, alteration or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include, but are not limited to the following:

- (1) Development of or changes in curriculum or training methods.
- (2) Changes in the grade structure of a school which do not result in changes in student transportation.

w. Class 23. Normal Operations of Facilities for Public Gatherings.

Class 23 consists of the normal operations of existing facilities designed for public gatherings where there is a history of the use of the facility for that purpose. Facilities included within this exemption include, but are not limited to, racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools and amusement parks.

x. Class 24. Regulation of Working Conditions.

Class 24 consists of actions taken by regulatory agencies, including the Industrial Welfare Commission as authorized by statute, to regulate any of the following:

- (1) Employee wages.
- (2) Hours of Work.
- (3) Working conditions where there will be no demonstrable physical changes outside the place of work.

2. Procedures for Adding Categorical Exemptions.

a. New Classes.

Requests for new classes of categorical exemptions must be submitted to the State Office of Planning and Research. All such requests by Lead City Agencies shall be first submitted to the City Council for approval.

b. New Exemptions Under Existing Classes.

A Lead City Agency may petition the City Council to add a categorical exemption under an existing class. The Lead City Agency must provide the City Council with detailed information supporting its contention that the type of project in question does not significantly effect the environment. Where such projects may potentially be carried out in substantially different environments, specific mention should be made as to the type of environment in which the exemption may be applied.

3. Relation to Ministerial Projects.

The categorical exemptions listed above include classes of projects which in the City of Los Angeles are already exempted from the requirements of CEQA as ministerial. It is not necessary to refer to a project as categorically exempt if it is already exempt as ministerial.

4. Exceptions.

a. Location.

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State or local agencies.

b. Cumulative Impact.

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. For example, annual additions to an existing building under Class 1.

ARTICLE VIII

ADDITIONAL ENVIRONMENTAL ASSESSMENT AFTER AN EIR
OR A NEGATIVE DECLARATION HAS BEEN CERTIFIED AS
COMPLETE1. General Rules.

Where an EIR or a Negative Declaration has been prepared for a project and certified as complete pursuant to Article X of these Guidelines, an additional environmental assessment for the project will be required only if one or more of the following conditions occur:

- a. Subsequent changes are proposed in the project which will require major revisions of the EIR, or require an EIR if a Negative Declaration had been previously prepared, due to the involvement of new significant environmental impacts not considered in a previous EIR or Negative Declaration for the project.
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken, such as a substantial deterioration in the air quality where the project will be located, which will require major revisions of the EIR, or require an EIR if a Negative Declaration had been previously prepared, due to the involvement of new significant environmental impacts not considered in a previous EIR or Negative Declaration for the project.
- c. New information of substantial importance to the project becomes available, and the following occurs:
 - (1) The information was not known and could not have been known at the time the EIR or Negative Declaration was certified as complete, and
 - (2) The new information shows any of the following:
 - (a) The project will have one or more significant effects not discussed previously in the EIR or Negative Declaration.
 - (b) Significant effects previously examined will be more severe than shown in the EIR.
 - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

- (d) Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.

2. Procedures Where Project Has Not Been Approved.

Where the project has not yet been approved at the time the Lead City Agency becomes aware that one or more of the conditions set forth in Section 1 of this Article has occurred, the Lead City Agency shall conduct an Initial Study to evaluate the conditions to determine whether an EIR or a supplement to a previously prepared EIR is required.

- a. If it is determined pursuant to the Initial Study that the occurrence of one or more of such conditions will not require an EIR or a supplement to a previously prepared EIR, the Lead City Agency shall prepare, process and adopt a Negative Declaration pursuant to the requirements of Article V of these Guidelines.
- b. If it is determined that the occurrence of one or more such conditions will require an EIR or a supplement to a previously prepared EIR, the Lead City Agency shall prepare and process the EIR or supplement pursuant to the requirements of Article VI of these Guidelines. If a supplement to a previously prepared EIR is required, either the original EIR or a detailed summary thereof may be circulated with the supplement, or information may be provided regarding where a copy of the original EIR may be obtained for review.

3. Procedures Where Project Has Been Approved.

Where the project has been approved at the time the Lead City Agency becomes aware that one or more of the conditions set forth in Section 1 of this Article has occurred, the following procedures shall be followed.

a. Private Projects.

Where the project involves the granting of a lease, permit, license, certificate or other entitlement for use to other than an agency of the City of Los Angeles:

- (1) If the conditions that occur do not involve a modification to the project that would require a modification of the entitlement for use, no further action of the Lead City Agency is required.

- (2) If the conditions that occur do involve a modification to the project that would require a modification of the entitlement for use, an Initial Study shall be conducted to determine whether the entitlement for use as modified may have a significant effect on the environment and a Negative Declaration, EIR, or supplement to a previous EIR, as appropriate, shall be prepared and considered prior to any action on the request for modification.

b. Public Projects.

Where the project involves an activity to be directly undertaken by an agency of the City of Los Angeles:

- (1) If the conditions that occur do not involve a substantial modification of the manner in which the project will be carried out and the City agency is committed to carrying out the project either by contract or by the expenditure of a substantial portion of the funds appropriated for the project, no further action of the Lead City Agency is required.
- (2) If the conditions that occur do not involve a substantial modification of the manner in which the project will be carried out and the City agency is not committed to carrying out the project either by contract or by the expenditure of a substantial portion of the funds appropriated for the project, the Lead City Agency shall comply with the provisions Section 2 of this Article.
- (3) If the conditions that occur do involve a substantial modification of the manner in which the project will be carried out, the Lead City Agency shall comply with the provisions of Subdivision (2) of Subsection a of this Section.
- (4) If the City of Los Angeles is a Responsible Agency and the project has been approved by the Lead Agency, the Lead City Agency shall conduct any environmental assessments and prepare any environmental documents made necessary by the provisions of this Article.

ARTICLE IX

PROCEDURES FOR COMPLYING WITH CEQA WHERE THE CITY
OF LOS ANGELES IS A RESPONSIBLE AGENCY1. General.

A Responsible Agency complies with CEQA by considering documents prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project involved. This Article identifies the special duties a Lead City Agency will have when the City of Los Angeles is acting as a Responsible Agency.

2. Determination of Responsibility for Complying with CEQA
where the City of Los Angeles is a Responsible Agency.a. Determination of Lead City Agency.

Where the City of Los Angeles is a Responsible Agency, the Lead City Agency shall be that City department, bureau, division, section, office, officer or agency that normally reviews the type of project involved and is responsible for making recommendations to the appropriate Decision-Making Body.

b. Determination of Decision-Making Body.

Where the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall be the group or individual having approval authority over the type of project involved.

3. Response to a Request for Consultation.

a. The Lead City Agency shall respond to any request for consultation by the Lead Agency to assist the Lead Agency in preparing adequate environmental documents for the project.

(1) In responding to a request for consultation during the Initial Study process, the Lead City Agency shall recommend to the Lead Agency whether an EIR or Negative Declaration should be prepared, and shall set forth the reasons therefor.

(2) In responding to a request for consultation during the public review period of a Negative Declaration, the Lead City Agency shall either agree that a Negative Declaration is appropriate

or shall identify the significant environmental effects which it believes could result from the project, and it shall either recommend that an EIR be prepared or that the project be modified to eliminate the significant effects.

- (3) In responding to a request for consultation initiated by a Notice of Preparation received from a Lead Agency, the Lead City Agency shall respond in writing by certified mail as soon as possible, but in no event later than 45 days after receipt of the Notice. The reply shall specify the scope and content of the environmental information which would be germane to the City of Los Angeles' statutory responsibilities in connection with the proposed project. The Lead City Agency shall designate representatives to attend meetings requested by the Lead Agency to discuss the scope and content of the EIR.
- (4) In responding to a request for consultation during the public review period of an EIR, the Lead City Agency shall either indicate that it believes the EIR is adequate or shall identify the areas where it believes the EIR is inadequate and the type of information needed to make the EIR adequate. If the Lead City Agency believes that any of the conclusions contained in the EIR are either incorrect or unsupported, it shall so advise the Lead Agency and shall set forth the basis of its opinion.
- (5) Any other City agency that is aware of the request for consultation may submit comments to the Lead City Agency for inclusion in the City's response.

4. Decision on Adequacy of Final EIR or Negative Declaration.

- a. If the Lead City Agency believes that the final EIR or Negative Declaration prepared by the Lead Agency is not adequate for use by the City of Los Angeles in discharging its responsibilities as a Responsible Agency, the Lead City Agency must submit the matter to the City Attorney with a request that appropriate administrative and legal action be initiated. This submittal shall occur as early as possible to enable the City Attorney to file appropriate legal action, if necessary, within 30 days after the Lead Agency files its Notice of Determination. It shall be the responsibility of the Lead City Agency to ensure that the City Attorney has at least 10 working days in which to evaluate the matter and prepare and file any

necessary legal action. The City Attorney shall not initiate administrative or legal action if he determines that there is substantial evidence in the record supporting the adequacy of the EIR or Negative Declaration and such record indicates that the Lead Agency has proceeded in the manner required by law in processing the document.

- b. If a legal action challenging the adequacy of the final EIR or Negative Declaration is not commenced by the City of Los Angeles within 30 days after a Notice of Determination has been filed, the City of Los Angeles will be deemed to have waived any objection to the final EIR or Negative Declaration.
- c. If objections to the adequacy of a final EIR or Negative Declaration have been waived pursuant to the preceding paragraph, the Lead City Agency shall prepare a subsequent EIR only when required by the provisions of Article VIII of these Guidelines.

5. Consideration of the Final EIR or Negative Declaration by the Decision-Making Body.

- a. A copy of the final EIR or Negative Declaration shall be forwarded to each member of the Decision-Making body as early as possible but no less than two days prior to consideration of the project by the Decision-Making Body.
- b. The Decision-Making Body shall review and consider the contents of the final EIR or Negative Declaration in connection with the determination of whether or not to approve the project, and shall certify that it has done so prior to or concurrent with the decision on the project.

6. Duty to Mitigate or Avoid Environmental Damage Where the City of Los Angeles is a Responsible Agency.

When the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall comply with the requirements of Section 9.5 of Article VI of these Guidelines regarding mitigation or avoidance of environmental damage, except that the Decision-Making Body shall have responsibility for mitigating or avoiding only those significant effects of the proposed project which are within the scope of the City's statutory authorities.

7. Statement of Overriding Considerations.

If there are substantial adverse environmental impacts resulting from that portion of the project to be carried out or approved by the City of Los Angeles that cannot feasibly be avoided or mitigated to an insignificant level, and it is the decision of the Decision-Making Body to carry out or approve the project, the Decision-Making Body shall cause to be prepared and shall adopt a Statement of Overriding Considerations pursuant to the requirements of Section 10 of Article VI of these Guidelines.

8. Conditional Approval.

If a lawsuit is filed by a person other than the City of Los Angeles challenging a Negative Declaration or EIR for noncompliance with CEQA, the Lead City Agency shall act as if the Negative Declaration or EIR complies with CEQA and continue to process the application for the project. In this situation, the Decision-Making Body shall have authority only to grant a conditional approval of the project. A court decision setting aside a project approval on the grounds that the Negative Declaration or EIR does not comply with CEQA will invalidate any conditional approval granted.

9. Notice of Determination.

After a decision is made to carry out or approve a project where the City of Los Angeles is a Responsible Agency, the Lead City Agency shall prepare and file a Notice of Determination in the same manner as required by Section 7 of Article V if a Negative Declaration is involved, or Section 11 of Article VI if an EIR is involved.

ARTICLE X

TIME LIMITATIONS FOR THE PROCESSING OF
ENVIRONMENTAL DOCUMENTS1. Projects Not Involving Federal Approval or Funding.

Where an application for grant of a lease, license, certificate, permit or other entitlement for use is received by a Lead City Agency, the Lead City Agency shall ensure that the following time limitations are met in preparing and processing environmental documents:

- a. The Lead City Agency shall complete its Initial Study and make a determination regarding whether the project may have a significant effect on the environment within 45 days after accepting the application as complete.
- b. If the determination is that the project will not have a significant effect on the environment, the Lead City Agency shall complete and adopt a Negative Declaration within 105 days after accepting the application as complete.
- c. If the determination is that the project may have a significant effect on the environment, the Lead City Agency shall complete and certify an EIR within one year after accepting the application as complete.
- d. For purposes of complying with this Section, each Lead City Agency shall designate an individual, individuals or a particular body to make the determination regarding whether the project may have a significant effect on the environment, and to adopt and certify the completeness of Negative Declarations and EIRs.

2. Extensions of the Time Limitations.

The following extensions of the time limitations set forth in Section 1 of this Article are permissible if compelling circumstances justify additional time and the project applicant consents thereto:

- a. A 15-day extension to make the determination regarding whether the project may have a significant effect on the environment.
- b. A 30-day extension to complete and adopt a Negative Declaration.
- c. A 90-day extension to complete and certify an EIR.

A P P E N D I C E S

Revised 8/1/78

APPENDIX A

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION
(Article III, Section 3 -- City CEQA Guidelines)
County Clerk's Use

Council District _____ Date _____

Lead City Agency _____

Project Title: _____

Project Location: _____

Description of Nature, Purpose, and Beneficiaries of Project: _____

Name of Person or Agency Carrying out Project if other than
Lead City Agency _____

Exempt Status: (Check One) _____

- _____ Ministerial (Art. III, Sec. 2b)
- _____ Declared Emergency (Art. III, Sec. 2a)
- _____ Emergency Project (Art. III, Sec. 2a)
- _____ Categorical Exemption (Art. VII, Sec. 1) State Class and
Categorical Exemption Number: _____

Reasons why project is exempt: _____

Contact Person _____ Area Code _____ Telephone _____ Extension _____

If filed by applicant, attach certified document of exemption finding.

Signature

Title

Submission of this form is optional. The form shall be filed with the County Clerk pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21168(d), the filing of this notice starts a 35-day statute of limitations on Court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

APPENDIX A

APPENDIX B

CITY OF LOS ANGELES

CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY

(Article IV--City CEQA Guidelines)

Council District _____ Date _____

Lead City Agency _____

Project Title/No. _____

Project Location _____

Project Description _____

Summary of Possible Environmental Impacts:

Recommended Disposition: ☐ EIR

☐ Negative Declaration

Signature

Title

Note: This form will not constitute a valid Initial Study unless an Initial Study Checklist and an evaluation of all possible environmental impacts of the proposed project are attached. Appendices H and I set forth the information required in a valid Initial Study.

APPENDIX C

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NEGATIVE DECLARATION
(Article V -- City CEQA Guidelines)

City Clerk Use

Council District _____

Date _____

Lead City Agency _____

Project Title/No.

Project Location _____

Project Description _____

Name of Applicant if other than City Agency _____

The _____ of the
City of Los Angeles has determined that this project will not have
a significant effect on the environment for the following reasons:

_____ (use additional
sheet if necessary)

The Initial Study prepared for this project is attached.

Signed _____

Title _____

Name of Person preparing this form _____

Title _____

APPENDIX C

APPENDIX D

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF DETERMINATION
(Article V, Section 7; Article VI, Section II
City CEQA Guidelines

County Clerk's Use

Council District _____ Date _____

Lead City Agency _____

Project Title/No. _____

Project Location: _____

Project Description: _____

Contact Person _____ Tele. No. _____

This is to advise that the _____ of the City
of Los Angeles has approved the above described project and has
made the following determinations:

1. The project ☐ will ☐ will not have a significant effect on the environment
2. ☐ An Environmental Impact Report ☐ A Negative Declaration was prepared for the project and may be examined at:

Office of the City Clerk
Room 395 City Hall
200 North Spring Street
Los Angeles, California 90012

3. A Statement of Overriding Considerations ☐ was
☐ was not adopted for this project.

DATE _____ Signed _____

Title _____

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.

APPENDIX D

APPENDIX E

TO: State of California
The Resources Agency
Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

NOTICE OF COMPLETION

Project Title

Project Location - Specific

Project Location - City

Project Location - County

Description of Nature, Size, Purpose, and Beneficiaries of Project

Lead Agency

Division

Address Where Copy of EIR is Available (Lead City Agency)

Review Period (Include Calendar Dates)

Contact Person

Area Code

Phone

Extension

*All draft EIRs prepared by agencies of the City of Los Angeles
are on file with the Office of the City Clerk, Room 395, City Hall,
and will be made available to members of the public for examination.

The information on this form is required to be submitted to the Resources Agency by Public Resources Code Section 21161. The information is used to help publicize the availability of the EIR for public review. Failure to file the notice does not affect the validity of the project. The information is maintained in the California EIR Monitor and on file in the Office of the Secretary for Resources, 1416 Ninth Street, Room 1311, Sacramento, California 95814, telephone (916) 445-9134.

APPENDIX E

APPENDIX F

ENERGY CONSERVATION

I. INTRODUCTION

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's costs effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR CONTENTS

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances specific items may not apply or additional items may be needed.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.
3. Energy conservation equipment and design features.
4. Initial and life-cycle energy costs or supplies.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life-cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The effects of the project on peak and base period demands for electricity and other forms of energy.

4. The degree to which the project complies with existing energy standards.

5. The effects of the project on energy resources.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.

2. The potential of siting, orientation, and design to minimize energy consumption.

3. The potential for reducing peak energy demand.

4. Alternate fuels (particularly renewable ones) or energy systems.

5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effect may include the estimated energy consumption of growth induced by the project.

APPENDIX F

APPENDIX G

Factors to be Considered in Determining Significant Effect

A project will normally have a significant effect on the environment if it will:

- (1) Conflict with adopted environmental plans and goals of the community where it is located;
- (2) Have a substantial, demonstrable negative aesthetic effect;
- (3) Substantially affect a rare or endangered species of animal or plant or the habitat of the species;
- (4) Interfere substantially with the movement of any resident or migratory fish or wildlife species;
- (5) Breach published national, state, or local standards relating to solid waste or litter control;
- (6) Substantially degrade water quality;
- (7) Contaminate a public water supply;
- (8) Substantially degrade or deplete ground water resources;
- (9) Interfere substantially with ground water recharge;
- (10) Disrupt or alter an archaeological site over 200 years old, an historic site or a paleontological site except as part of a scientific study of the site;
- (11) Induce substantial growth or concentration of population;
- (12) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;
- (13) Displace a large number of people;
- (14) Encourage activities which result in the use of large amounts of fuel, water or energy;
- (15) Use fuel, water or energy in a wasteful manner;
- (16) Increase substantially the ambient noise levels for adjoining areas;

- (17) Cause substantial flooding, erosion or siltation;
- (18) Expose people or structures to major geologic hazards;
- (19) Extend a sewer trunk line with capacity to serve new development;
- (20) Substantially diminish habitat for fish, wildlife or plants;
- (21) Disrupt or divide the physical arrangement of an established community;
- (22) Create a public health hazard or a potential public health hazard;
- (23) Conflict with established recreational, educational, religious or scientific uses of the area;
- (24) Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

APPENDIX G

APPENDIX H

ENVIRONMENTAL INFORMATION FORM
(To be completed by applicant)

Date Filed _____.

GENERAL INFORMATION

1. Name and address of developer or project sponsor: _____

2. Address of project: _____
Assessor's Block and Lot Number: _____

3. Name, address, and telephone number of person to be contacted concerning this project: _____

4. Indicate number of the permit application for the project to which this form pertains: _____

5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: _____

6. Existing zoning district: _____

7. Proposed use of site (Project for which this form is filed): _____

PROJECT DESCRIPTION

8. Site size.

9. Square footage.

10. Number of floors of construction.

11. Amount of off-street parking provided.

12. Attach plans.

13. Proposed scheduling.

14. Associated projects.

15. Anticipated incremental development.

16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected.

17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

18. If industrial, indicate type, estimated employment per shift, and loading facilities.

19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

YES NO

- | | | |
|---------------|---------------|--|
| <u> </u> | <u> </u> | 21. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours. |
| <u> </u> | <u> </u> | 22. Change in scenic views or vistas from existing residential areas or public lands or roads. |
| <u> </u> | <u> </u> | 23. Change in pattern, scale or character of general area of project. |
| <u> </u> | <u> </u> | 24. Significant amounts of solid waste or litter. |
| <u> </u> | <u> </u> | 25. Change in dust, ash, smoke, fumes or odors in vicinity. |
| <u> </u> | <u> </u> | 26. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. |
| <u> </u> | <u> </u> | 27. Substantial change in existing noise or vibration levels in the vicinity. |
| <u> </u> | <u> </u> | 28. Site on filled land or on slope of 10 percent or more. |

- — 29. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
- — 30. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- — 31. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- — 32. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.

34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or polaroid photos will be accepted.

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date _____

(Signature)

For _____

APPENDIX H

APPENDIX I

INITIAL STUDY CHECKLIST (To be completed by Lead City Agency)

I. BACKGROUND

1. Name of Proponent: _____
2. Address and Phone Number of Proponent: _____

3. Date Checklist Submitted: _____
4. Agency Requiring Checklist: _____
5. Name of Proposal, if applicable: _____

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
1. <u>Earth</u> . Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	___	___	___
b. Disruptions, displacements, compaction or overcovering of the soil?	___	___	___
c. Change in topography or ground surface relief features?	___	___	___
d. The destruction, covering or modification of any unique geologic or physical features?	___	___	___
e. Any increase in wind or water erosion of soils, either on or off the site?	___	___	___
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	___	___	___

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	_____	_____	_____
2. <u>Air</u> . Will the proposal result in:			
a. Air emissions or deterioration of ambient air quality?	_____	_____	_____
b. The creation of objectionable odors?	_____	_____	_____
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	_____	_____	_____
3. <u>Water</u> . Will the proposal result in:			
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?	_____	_____	_____
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	_____	_____	_____
c. Alterations to the course or flow of flood waters?	_____	_____	_____
d. Change in the amount of surface water in any water body?	_____	_____	_____
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	_____
f. Alteration of the direction or rate of flow of ground waters?	_____	_____	_____
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	_____	_____
h. Reduction in the amount of water otherwise available			

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
for public water supplies?	_____	_____	_____
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	_____
4. <u>Plant Life.</u> Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops and aquatic plants)?	_____	_____	_____
b. Reduction of the numbers of any unique, rare or endangered species of plants?	_____	_____	_____
c. Introduction of new species of plants into an area, or is a barrier to the normal replenishment of existing species?	_____	_____	_____
d. Reduction in acreage of any agricultural crop?	_____	_____	_____
5. <u>Animal Life.</u> Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	_____	_____	_____
b. Reduction of the numbers of any unique, rare or endangered species of animals?	_____	_____	_____
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	_____	_____
d. Deterioration to existing fish or wildlife habitat?	_____	_____	_____
6. <u>Noise.</u> Will the proposal result in:			
a. Increases in existing noise			

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
levels?	_____	_____	_____
b. Exposure of people to severe noise levels?	_____	_____	_____
7. <u>Light and Glare</u> Will the proposal produce new light or glare?	_____	_____	_____
8. <u>Land Use.</u> Will the proposal result in an alteration of the present or planned land use of an area?	_____	_____	_____
9. <u>Natural Resources.</u> Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	_____	_____	_____
b. Depletion of any non-renewable natural resource?	_____	_____	_____
10. <u>Risk of Upset.</u> Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	_____	_____
11. <u>Population.</u> Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	_____	_____
12. <u>Housing.</u> Will the proposal affect existing housing, or create a demand for additional housing?	_____	_____	_____
13. <u>Transportation/Circulation.</u> Will the proposal result in:			
a. Generation of additional vehicular movement?	_____	_____	_____
b. Effects on existing parking facilities, or demand for new parking?	_____	_____	_____
c. Impact upon existing transportation systems?	_____	_____	_____

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	_____
e. Alterations to waterborne, rail or air traffic?	_____	_____	_____
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	_____	_____	_____
14. <u>Public Services.</u> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:	_____	_____	_____
a. Fire protection?	_____	_____	_____
b. Police protection?	_____	_____	_____
c. Schools?	_____	_____	_____
d. Parks or other recreational facilities?	_____	_____	_____
e. Maintenance of public facilities, including roads?	_____	_____	_____
f. Other governmental services?	_____	_____	_____
15. <u>Energy.</u> Will the proposal result in:			
a. Use of additional amounts of fuel or energy?	_____	_____	_____
b. Increase in demand upon existing sources of energy, or require the development of new sources of energy?	_____	_____	_____
16. <u>Utilities.</u> Will the proposal result in a need for new systems, or alterations to the following utilities:			
a. Power or natural gas?	_____	_____	_____
b. Communications systems?	_____	_____	_____

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
c. Water?	_____	_____	_____
d. Sewer or septic tanks?	_____	_____	_____
e. Storm water drainage?	_____	_____	_____
f. Solid waste and disposal?	_____	_____	_____
17. <u>Human Health.</u> Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	_____
b. Exposure of people to potential health hazards?	_____	_____	_____
18. <u>Aesthetics.</u> Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	_____	_____	_____
19. <u>Recreation.</u> Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	_____	_____	_____
20. <u>Archeological/Historical.</u> Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building?	_____	_____	_____
21. <u>Mandatory Findings of Significance.</u>			
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	_____

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals: (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

c. Does the project have impacts which are individually limited, but cumulatively considerable?* (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION
(Attach additional sheets)

IV. DETERMINATION
(To be completed by the Lead City Agency)

On the basis of this initial evaluation:

_____ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

* "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

____ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

____ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Prepared by _____

Title _____

APPENDIX J

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

GENERAL EXEMPTION
(Article III, Section 1 -- City CEQA Guidelines)

Council District _____ Date _____

Lead City Agency _____

Project Title _____

Project Location _____

Project Description _____

Name of Applicant if other than City Agency _____

The _____
of the City of Los Angeles has determined that it can be seen
with reasonable certainty that this project could not possibly
have a significant effect on the environment for the
following reasons:

(Use additional sheet if necessary.)

Signature

Title

APPENDIX J

APPENDIX K

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF PREPARATION
(Article VI, Section 2--City CEQA Guidelines)

(Responsible Agency) FROM: _____
(Lead City Agency)

(Address) _____
(Address)

SUBJECT: Notice of Preparation of a Draft
Environmental Impact Report.

The City of Los Angeles will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by this City when considering your permit or other approval for the project.

The project description, location and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is is not attached.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 45 days after receipt of this notice.

Please send your response to _____ at the address shown above. We will need the name of a contact person in your agency.

PROJECT TITLE: _____

PROJECT APPLICANT, IF ANY: _____

DATE _____ Signature _____

Title _____

Telephone _____

Note: If the Responsible agency is a state agency, a copy of this form must be sent to the State Clearinghouse in the Office of Planning and Research, 1400 Tenth Street, Sacramento, California 95814.

1. 1913

2. 1914

3. 1915

4. 1916

5. 1917

6. 1918

7. 1919

8. 1920

9. 1921

10. 1922

11. 1923

12. 1924

13. 1925

14. 1926

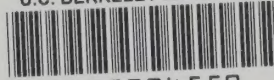
15. 1927

16. 1928

17. 1929

18. 1930

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